

HOUSE OF REPRESENTATIVES

WEDNESDAY, APRIL 11, 1934

The House met at 12 o'clock noon.

The Reverend G. E. Jones, pastor of the First Presbyterian Church, Noblesville, Ind., offered the following prayer:

Our Heavenly Father, we approach Thy throne. We desire to express our gratitude unto Thee for all the blessings bestowed upon us. We thank Thee for every expression of Thy love and for every manifestation of Thy grace. We pray Thee that we may use them all for the furtherance of Thy kingdom. We thank Thee for our country. Bless, we pray Thee, our President, his counselors, and all those in authority. We realize our dependence upon Thee. Help us to rely upon Thee as we ought. We pray, our Heavenly Father, to give all our counselors the wisdom that is from above, which is first pure, then peaceable, gentle, easy to be entreated, full of mercy and of good works, without partiality and without hypocrisy. Give all the people of this land the grace not to worry our legislators with their selfish ambitions, and not to frown upon them, criticize or crucify them when they speak and act contrary to such selfish desires.

Help us, our Heavenly Father, to remember that man is the greatest creature on earth; that the greatest thing in man is mind; that the greatest thing in mind is love; that the greatest thing in love is service; that the greatest thing in service is sacrifice; and the sacrifice which is needed in the universe today is that which finds the source of its power in the Cross of Calvary and in the glory of the enthroned King of Kings and Savior of the world, in whose name we ask it. Amen.

The Journal of the proceedings of yesterday was read and approved.

RENOMINATION OF THE SPEAKER

Mr. BYRNS. Mr. Speaker, I ask unanimous consent to proceed for 2 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BYRNS. Mr. Speaker, I have asked for this time in order to extend the congratulations of the entire membership of the House upon the magnificent victory which was given you in the Democratic primary on yesterday, when you were renominated for Congress. [Applause, the Members rising.] They tell me that the number of Democrats who voted for you in your district, and I hope many Republicans who have now seen the light of day, was so numerous that they are still counting the votes. [Laughter and applause.]

This was a deserved tribute, Mr. Speaker, a tribute paid by those who know you best for the long, able, and splendid service you have rendered throughout your career in Congress, and one which, I am sure, forecasts equally certain success in the election next November. [Applause.] While the tribute was to you and belongs to you, let me say that I think the administration is entitled to share, at least in some part, in the congratulations because of this approval of your intense loyalty in putting over the measures proposed by the President in the effort, which I believe has been a successful one, to relieve the country from the distressed conditions under which it has labored during the past three or four years.

Mr. Speaker, I know there is nothing sweeter to a man than to be thus honored by his friends; and when he has been honored, as you have been honored, in such a splendid way, it is the crowning glory and achievement of a great and splendid career in service to your beloved country. [Applause.]

DISTRICT OF COLUMBIA APPROPRIATION BILL—1935

Mr. BLANTON. Mr. Speaker, in the enforced absence of the gentleman from Missouri [Mr. CANNON], the chairman

of the subcommittee, on account of an accident, by direction of the Committee on Appropriations, I present a privileged report on the bill (H.R. 9061) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1935, and for other purposes (Rept. No. 1195).

The bill was read a first and second time, and, with the accompanying papers, referred to the Committee of the Whole House on the state of the Union and ordered printed. Mr. DITTER reserved all points of order on the bill.

DIGEST OF VETERANS' LEGISLATION

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a digest of the veterans' legislation recently passed by the Congress, showing the effect of that law on World War veterans. This digest was worked out by the legislative representative of the Disabled Veterans of the World War, and I thought it would be of interest and of benefit to the Members who have so many inquiries to answer.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following digest of the veterans' legislation recently passed by the Congress showing the effect of that law on World War veterans. This digest was worked out by the legislative representative of the Disabled American Veterans of the World War, and I thought it would be of interest and of benefit to the Members who have so many inquiries to answer.

LEGISLATIVE DEPARTMENT,
DISABLED AMERICAN VETERANS,
Washington, D.C., March 31, 1934.

Special legislative bulletin

The following is a general digest of Public, No. 141, Seventy-third Congress, amending veterans' laws, so far as they concern World War men:

1. There are no retroactive payments beyond March 28, 1934, under any provision.
2. All rates of pay under the old World War Veterans' Act, exclusive of presumptives, but including statutory compensation for the loss of the use of both eyes, double amputations, etc., are reenacted.
3. The usual prohibition against payment to misconduct cases and post-armistice enlistments do not prevail in the cases of the totally blind.
4. At a rate of 75 percent of the amount being received when the Economy Act was enacted, there will be restored all presumptive cases, as they stood March 19, 1933, except for the post-armistice enlistments, where there is clear and unmistakable evidence that the disability occurred before or after service unless aggravation was shown and to persons whose service connection was granted through fraud, error, or misrepresentation.
5. All those who entered World War service before November 11, 1918, and in whose service-connected cases there is no misconduct and where there is no fraud, misrepresentation, or error, are restored to their previous rates of payments, except unmarried hospitalized men.
6. There is a return to the rating table in effect March 19, 1933, for the rating of all present and future compensation cases.
7. There is prohibition against reduction or discontinuance to widows, orphans, or dependent parents who were receiving benefits March 19, 1933.
8. There is a provision that any veteran who will sign a certificate that he is unable to meet the expense will receive hospitalization and transportation to and from the hospital for non-service-connected disability, disease, or defect within the limitations of the Veterans' Administration facilities, for those not dishonorably discharged.
9. The limitations as to receipt of joint pension and salary while employed by the Federal Government will not apply to World War cases.
10. The provision for reduction for compensable persons outside the continental United States is eliminated.
11. Provision is made at the usual rates for those disabled as a result of vocational training, hospitalization, or medical treatment.
12. The provision barring those eligible for benefits from participating in decisions on applications of other veterans for benefits is eliminated.
13. All monetary benefits for service-connected cases are referred to as "compensation" rather than "pension."
14. The Veterans' Administration is authorized to pay insurance benefits in the case where the maturity of a contract had been determined prior to March 20, 1933.

It is estimated that approximately 330,000 World War men will be affected by this legislation, the annual increased cost of which is estimated at \$83,000,000, and the Veterans' Administration expects to forward checks to veterans under the revisions on May 1.

THOMAS KIRBY,
National Legislative Chairman.

PUBLIC GRAZING LANDS

The SPEAKER. The unfinished business is the vote on the passage of the bill (H.R. 6462) to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes.

The question was taken; and Mr. ENGLEBRIGHT demanded a division.

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 265, nays 92, not voting 73, as follows:

[Roll No. 125]
YEAS—265

Abernethy	Dockweiler	Kopplemann	Richardson
Adams	Doughton	Kramer	Robertson
Arnold	Douglass	Lambeth	Robinson
Auf der Heide	Doxey	Lamneck	Rogers, N.H.
Ayers, Mont.	Drewry	Lanham	Rogers, Okla.
Ayres, Kans.	Driver	Lanzetta	Romjue
Bailey	Duffey	Larrabee	Rudd
Beiter	Dunn	Lea, Calif.	Ruffin
Biermann	Durgan, Ind.	Lee, Mo.	Sadowski
Bland	Eagle	Lehr	Sanders
Blanton	Edmiston	Lemke	Sandlin
Bloom	Elcher	Lesinski	Schuetz
Boehne	Ellenbogen	Lewis, Colo.	Schulte
Boland	Ellzey, Miss.	Lindsay	Sears
Boylan	Faddis	Lloyd	Secrest
Brennan	Farley	Lozier	Shannon
Brown, Ga.	Fernandez	Ludlow	Shoemaker
Brown, Ky.	Fiesinger	Lundeen	Sinclair
Brown, Mich.	Fitzpatrick	McCarthy	Sirovich
Brunner	Flannagan	McClintic	Sisson
Buchanan	Fletcher	McCormack	Smith, Va.
Bulwinkle	Ford	McDuffie	Smith, Wash.
Burch	Foulkes	McFarlane	Smith, W.Va.
Burke, Nebr.	Frey	McGrath	Snyder
Busby	Fuller	McKeown	Spence
Byrns	Fulmer	McMillan	Steagall
Cady	Gambrill	McReynolds	Strong, Tex.
Caldwell	Gasque	McSwain	Stubbs
Cannon, Wis.	Gavagan	Maloney, Conn.	Studley
Carden, Ky.	Gillette	Maloney, La.	Summers, Tex.
Carmichael	Glover	Mansfield	Sutphin
Carpenter, Kans.	Goldsborough	Marland	Swank
Cartwright	Granfield	Martin, Colo.	Sweeney
Castellow	Gray	Martin, Ore.	Tarver
Chapman	Green	May	Taylor, Colo.
Chavez	Greenwood	Mead	Terry, Ark.
Christianson	Gregory	Meeks	Thom
Claiborne	Griswold	Miller	Thomason
Clark, N.C.	Hamilton	Milligan	Thompson, Ill.
Cochran, Mo.	Hancock, N.C.	Mitchell	Thompson, Tex.
Coffin	Harlan	Monaghan, Mont.	Truax
Colden	Harter	Montague	Turner
Cole	Hastings	Montet	Umstead
Collins, Miss.	Healey	Moran	Utterback
Colmer	Henney	Morehead	Wallgren
Condon	Hildebrandt	Murdock	Walter
Cooper, Tenn.	Hill, Ala.	Musselwhite	Warren
Corning	Hill, Samuel B.	Norton	Wearin
Cox	Hoeppel	O'Connell	Weaver
Cravens	Holdale	O'Connor	Weideman
Cross, Tex.	Howard	Oliver, N.Y.	Welch
Crosser, Ohio	Huddleston	Owen	Werner
Crowe	Hughes	Palmisano	West, Ohio
Crump	Jacobsen	Parker	West, Tex.
Cullen	Jenckes, Ind.	Parks	Whittington
Cummings	Johnson, Okla.	Parsons	Wilcox
Darden	Johnson, Tex.	Patman	Willford
Dear	Johnson, W.Va.	Peterson	Williams
Deen	Jones	Pettengill	Wilson
Delaney	Kee	Peyser	Wood, Ga.
DeRouen	Keller	Pierce	Wood, Mo.
Dickstein	Kennedy, N.Y.	Polk	Woodrum
Dies	Kennedy	Ramsay	Young
Dingell	Kerr	Randolph	Zioncheck
Dirksen	Kieberg	Rankin	
Disney	Kloeb	Rayburn	
Dobbins	Kniffin	Reilly	

NAYS—92

Andrew, Mass.	Bakewell	Britten	Celler
Andrews, N.Y.	Beedy	Brumm	Chase
Arens	Blanchard	Burnham	Church
Bacharach	Bolleau	Carter, Calif.	Clarke, N.Y.
Bacon	Bolton	Carter, Wyo.	Collins, Calif.

Cooper, Ohio	Hancock, N.Y.	Mapes	Taber
Culkin	Hartley	Martin, Mass.	Terrell, Tex.
Ditter	Higgins	Merritt	Thomas
Dondoro	Hollister	Millard	Thurston
Dowell	Holmes	Mott	Tinkham
Eaton	Hope	O'Malley	Tobey
Eltse, Calif.	James	Peavey	Traeger
Englebright	Jenkins, Ohio	Plumley	Treadway
Evans	Kahn	Ransley	Turpin
Fish	Kelly, Pa.	Reed, N.Y.	Wadsworth
Focht	Kinzer	Rich	White
Foss	Kvale	Rogers, Mass.	Whitley
Frear	Lambertson	Scrugham	Wigglesworth
Gilchrist	Luce	Seger	Withrow
Goodwin	McFadden	Shallenberger	Wolcott
Goss	McGugin	Stokes	Wolfenden
Greenway	McLean	Strong, Pa.	Wolverton
Guyer	McLeod	Swick	Woodruff

NOT VOTING—73

Adair	Connery	Jeffers	Reece
Allen	Connolly	Johnson, Minn.	Reid, Ill.
Allgood	Crosby	Kelly, Ill.	Richards
Bankhead	Crowther	Kennedy, Md.	Sabath
Beam	Darrow	Knutson	Schaefer
Beck	De Priest	Kocialkowski	Simpson
Berlin	Dickinson	Kurtz	Snell
Black	Doutrich	Lehlbach	Somers, N.Y.
Brooks	Duncan, Mo.	Lewis, Md.	Stalker
Browning	Edmonds	Marshall	Sullivan
Buck	Fitzgibbons	Moynihan, Ill.	Taylor, S.C.
Buckbee	Gifford	Muldowney	Taylor, Tenn.
Burke, Calif.	Gillespie	Nesbit	Underwood
Cannon, Mo.	Griffin	O'Brien	Vinson, Ga.
Carley, N.Y.	Haines	Oliver, Ala.	Vinson, Ky.
Carpenter, Nebr.	Hart	Perkins	Waldron
Cary	Hess	Powers	
Cavichia	Hill, Knute	Prall	
Cochran, Pa.	Imhoff	Ramspeck	

So the bill was passed.

The Clerk announced the following pairs:

On the vote:

Mr. Schaefer (for) with Mr. Darrow (against).
Mr. Berlin (for) with Mr. Buck (against).
Mr. Kelly of Illinois (for) with Mr. Powers (against).
Mr. Beam (for) with Mr. Hess (against).
Mr. Adair (for) with Mr. Muldowney (against).
Mr. Sabath (for) with Mr. Doutrich (against).
Mr. O'Brien (for) with Mr. Connolly (against).

Until further notice:

Mr. Bankhead with Mr. Snell.
Mr. Oliver of Alabama with Mr. Lehlbach.
Mr. Connery with Mr. Beck.
Mr. Prall with Mr. Gifford.
Mr. Vinson of Kentucky with Mr. Knutson.
Mr. Underwood with Mr. Waldron.
Mr. Jeffers with Mr. Perkins.
Mr. Vinson of Georgia with Mr. Kurtz.
Mr. Hart with Mr. Allen.
Mr. Griffin with Mr. Cavichia.
Mr. Lewis of Maryland with Mr. Edmonds.
Mr. Somers of New York with Mr. Buckbee.
Mr. Sullivan with Mr. Simpson.
Mr. Taylor of South Carolina with Mr. Marshall.
Mr. Browning with Mr. Reid of Illinois.
Mr. Black with Mr. Stalker.
Mr. Cannon of Missouri with Mr. Crowther.
Mr. Carley with Mr. Taylor of Tennessee.
Mr. Dickinson with Mr. Moynihan of Illinois.
Mr. Cary with Mr. Reece.
Mr. Ramspeck with Mr. Culkin.
Mr. Kennedy of Maryland with Mr. Cochran of Pennsylvania.
Mr. Haines with Mr. Johnson of Minnesota.
Mr. Richards with Mr. Duncan of Missouri.
Mr. Allgood with Mr. Imhoff.
Mr. Brooks with Mr. Gillespie.
Mr. Burke of California with Mr. Fitzgibbons.
Mr. Carpenter of Nebraska with Mr. Knute Hill.
Mr. Crosby with Mr. Kocialkowski.

The result of the vote was announced as above recorded.

On motion of Mr. TAYLOR of Colorado, a motion to reconsider the vote whereby the bill was passed was laid on the table.

THE PRIVATE CALENDAR

Mr. BYRNS. Mr. Speaker, the gentleman from Missouri [Mr. CANNON] suffered an unfortunate accident the other day. He is chairman of the subcommittee that has in charge the District of Columbia appropriation bill. That bill has been reported by the gentleman from Texas [Mr. BLANTON], but he and other members of the committee are very anxious that Mr. CANNON should be here during the consideration of that bill. Therefore the District appropriation bill will not be taken up today as expected. If Mr. CANNON returns tomorrow it may be taken up at that time.

For that reason I wish to submit this unanimous request, that we proceed today with the consideration of bills unobjected to on the Private Calendar.

And in connection with that request, I will state that if that is done, unless the House wishes otherwise, I see no reason for a night session. If the appropriation bill is not taken up tomorrow, I will then submit a unanimous-consent request that we proceed with the calling of the Private Calendar tomorrow.

Mr. DITTER. Reserving the right to object, might we not have general debate tomorrow on the District of Columbia appropriation bill in the absence of Mr. CANNON?

Mr. BYRNS. I think it is the disposition of the committee to wait until Mr. CANNON returns. But that is a matter that will be left to the Appropriations Committee.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. MARTIN of Massachusetts. Reserving the right to object, the gentleman's proposition is to begin at the star?

Mr. BYRNS. That is understood.

The SPEAKER. Is there objection?

There was no objection.

Mr. BYRNS. Mr. Speaker, I want to submit another unanimous-consent request. There are six jurisdictional bills on the Private Calendar which have been passed by the Senate. Those interested in those bills are anxious that they should be called and disposed of. I assume that because they are jurisdictional bills it will take but a few moments to consider them. I ask unanimous consent that these bills be first called.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. MARTIN of Massachusetts. Mr. Speaker, I object at this time, for the reason that the committee has not had time to examine the bills. The gentleman can renew his request later in the afternoon, but at the present time I object.

BUFFALO AND FORT ERIE PUBLIC BRIDGE AUTHORITY

Mr. McREYNOLDS. Mr. Speaker, I ask unanimous consent for the present consideration of House Joint Resolution 315, granting consent of Congress to an agreement or compact entered into by the State of New York with the Dominion of Canada for the establishment of the Buffalo and Fort Erie Public Bridge Authority, with power to take over, maintain, and operate the present highway bridge over the Niagara River between the city of Buffalo, N.Y., and the village of Fort Erie, Canada.

The SPEAKER. Is there objection?

Mr. MARTIN of Massachusetts. Has this joint resolution the unanimous support of the committee?

Mr. McREYNOLDS. Yes.

The SPEAKER. Is there objection?

Mr. BLANTON. Reserving the right to object, this will not cost the Government of the United States anything?

Mr. McREYNOLDS. Nothing.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the consent of the Congress of the United States be, and it is hereby, given to the State of New York to enter into the agreement or compact with the Dominion of Canada set forth in chapter 824 of the Laws of New York, 1933, and an act respecting the Buffalo and Fort Erie Public Bridge Authority passed at the fifth session, Seventeenth Parliament, Dominion of Canada (24 George V 1934), assented to March 28, 1934, for the establishment of the Buffalo and Fort Erie Public Bridge Authority as a municipal corporate instrumentality of said State and with power to take over, maintain, and operate the present highway bridge over the Niagara River between the city of Buffalo, in the State of New York, and the village of Fort Erie, in the Dominion of Canada.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion by Mr. McREYNOLDS to reconsider the vote whereby the joint resolution was passed was laid on the table.

EMPLOYMENT OF COUNSEL IN UNITED STATES V. WEIRTON STEEL CO.

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3209)

limiting the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to counsel in the case of the United States of America against Weirton Steel Co. and other cases, and consider the same at this time, a similar House bill (H.R. 8883) having been favorably reported from the Committee on the Judiciary.

The SPEAKER. Is there objection?

Mr. MARTIN of Massachusetts. What is this bill?

Mr. SUMNERS of Texas. This is a request made by the Department of Justice, so that the services of the gentleman mentioned in the bill may be had in the prosecution of the case against the Weirton Steel Co.

Mr. MARTIN of Massachusetts. And it has the unanimous report of the committee?

Mr. SUMNERS of Texas. Yes.

The SPEAKER. Is there objection?

Mr. TRUAX. Mr. Speaker, further reserving the right to object, is this the bill that was objected to at the last session when the Private Calendar was considered, which provides for the employment of certain attorneys by the Department of Justice?

Mr. SUMNERS of Texas. Yes; and I understand that it has been explained to the gentleman.

Mr. TRUAX. That is true. I have no objection.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That nothing in sections 109 and 113 of an act entitled "An act to codify, revise, and amend the penal laws of the United States", approved March 4, 1909, as amended (U.S.C., title 18, secs. 198 and 203) or in section 190 of the Revised Statutes of the United States (U.S.C., title 5, sec. 99), or in any other act of Congress forbidding officers or employees or former officers or employees of the United States from acting as counsel, attorney, or agent for another before any court, department, or branch of the Government or from receiving or agreeing to receive compensation therefor, shall be deemed to apply to attorneys or counselors to be specially employed, retained, or appointed by the Attorney General or under authority of the Department of Justice to assist in the prosecution of the case of United States of America v. Weirton Steel Co., and/or any other case or cases, civil or criminal, involving said company, its officers or agents, arising under the National Industrial Recovery Act or any code of fair competition adopted pursuant thereto.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 8883) was laid on the table.

DEPOSITS IN CLOSED BANKS

Mr. ELLENBOGEN. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER. Is there objection?

Mr. MARTIN of Massachusetts. Mr. Speaker, I reserve the right to object. What does the gentleman want to talk about?

Mr. ELLENBOGEN. About statistics in respect to deposits in closed banks.

Mr. MARTIN of Massachusetts. And the gentleman will not require any more time than that?

Mr. ELLENBOGEN. No.

Mr. MARTIN of Massachusetts. We are anxious to get on with the consideration of the Private Calendar.

The SPEAKER. Is there objection?

There was no objection.

Mr. ELLENBOGEN. Mr. Speaker, the House at this session is considering and will consider legislation concerning the banking structure of this country. I believe the House should have all of the information before it that it can possibly have. I have before me the Federal Reserve Bulletin of July 1933, which contains statistics giving classes of depositors in 5,500 Federal Reserve member banks, according to the amount of their deposits. These statistics relate to 30,500,000 depositors. The total deposits amount to \$23,500,000,000. They show that in May 1933 deposits of \$2,500 and less were held by 96½ percent of the depositors. That is to say, 96½ percent of the depositors had deposits in these banks of \$2,500 or less, but those 96½ percent of de-

positors had deposits totaling only 23.7 percent of the total amount of deposits. The remaining 3½ percent of the depositors owned 76 percent of the total deposits. It will be of interest to learn that out of the 30,500,000 depositors, less than 50,000 had deposits exceeding \$50,000, but their total deposits amounted to 44.6 percent of all deposits. Depositors in excess of \$50,000 amounted to 0.1 of 1 percent in number, but their deposits totaled 44.6 percent of all deposits.

I shall now list in full the data which I have been discussing. It relates to all licensed banks who on May 13, 1933, were part of the Federal Reserve System. These statistics, as far as they relate to national banks, were compiled by the Comptroller of the Currency, and, as far as they relate to member banks, they were compiled by the Federal Reserve Board. The total number of accounts involved in these banks is 30,556,105, and the total amount is \$23,542,307,000. The data is summarized in the following table, which is taken from the Federal Reserve Bulletin dated July 19, 1933, page 414.

Licensed member banks (5,500 banks)—Number of deposit accounts, by size of account, May 13, 1933

Size group	Number of accounts	Amount of deposits	Percentage distribution		Average size of accounts
			Number of accounts	Total deposits	
Deposit accounts of—					
\$2,500 or less.....	29,482,384	\$5,580,327,000	96.5	23.7	\$189
\$2,501 to \$5,000.....	569,833	1,912,132,000	1.9	8.1	3,356
\$5,001 to \$10,000.....	269,908	1,840,791,000	.9	7.8	6,820
\$10,001 to \$50,000.....	187,115	3,720,403,000	.6	15.8	19,883
Over \$50,000.....	46,870	10,488,654,000	.1	44.6	223,782
Total (5,500 banks).....	30,556,105	23,542,307,000	100.0	100.0	770

I want to repeat that 96½ percent of these accounts were in amounts of \$2,500 or less, and that the average account of this class was \$189.

I call particular attention to these statistics because I believe they will be of interest in connection with legislation that we are now considering or will consider during this session.

Mr. Speaker, I am in hearty sympathy with the idea of taking care of the small depositors, but I believe we should consider the matter very carefully before we decide that the Treasury of the United States should pay in full big depositors in closed banks. In many cases such deposits amount to millions of dollars. For instance, the account of the Ford Motor Co. in the closed banks in Michigan amounted to \$32,500,000.

I ask unanimous consent to extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

FIRE SUFFERERS OF MINNESOTA

Mr. HOIDALE. Mr. Speaker, I ask unanimous consent to extend my remarks upon the fire sufferers' bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOIDALE. Mr. Speaker, at the point where the western extremity of Lake Superior pierces like an arrowhead into the eastern boundary of my home State of Minnesota lies that gem city of the North, which was, some years ago, in a speech made upon this floor by Proctor Knott, baptized the "Zenith City of the Unsalted Sea."

A short distance to the north, not far from the Canadian boundary, lie the Missabe and Vermillion iron ranges—the greatest producers of iron and steel in the world.

To the west and northeast of Duluth the land is of a gently rolling topography, covered, except where clearings have been made, by second-growth timber and underbrush.

If during the days of the World War, you had motored through this vast northeastern section of Minnesota, following winding roads among our "10,000 lakes," a veritable paradise of outdoor recreation, your interest would have

been attracted to the promising and homey little farmsteads, hewn by industrious and thrifty hands out of a forest wilderness—little huts here and there in bright open clearings—huts, but nevertheless homes that sheltered the families and everything that these sturdy pioneers held dear. These clearings and small farms gave expression to the ambition, the industry, and the determination of a poor but hopeful people struggling against adverse conditions to give their children a place in the sun.

Cloquet, a city of some 8,000 people, was the largest town in this settlement in the north. In this city were several wood-products factories in which many of the settlers worked and to which many of them sold timber cut from their homesteads.

The World War was drawing to a close. The railroads were managed and controlled by the Director General of Railroads, and the Government was liable to the same extent and in the same way as the railroads would have been liable under private management.

On the morning of October 12, 1918, the sun arose out of the waters of Lake Superior in a clear sky. It was one of those beautiful October days for which the Arrowhead country of Minnesota is famous. The frosts of early autumn had turned the foliage of a great variety of trees and shrubbery into a riot of beautiful colors. The falling leaves sailed to the ground in the gentle morning breeze. The smoking chimneys belching from the factories at Cloquet gave evidence of war-day activity. In the surrounding countryside farm work was rushed in anticipation of the approaching winter, while children on their way to school, with books and dinner pails in their hands whistled, laughed, and played with the falling leaves. And that was the last happy day those people have seen.

Before sundown of that day the deep, keen sorrow that follows death and total destruction fell upon this ill-fated community.

Let me tell you the story briefly.

By noon the gentle breeze of the morning had increased to a velocity of 25 miles an hour.

The official report of the Director of the Railroads, made to the Government, says:

In October 1918 a most devastating fire occurred in the forest regions of Minnesota. Roughly speaking, some 1,500 square miles of territory was burned over; 4,000 homes and 5,000 barns were burned, and a number of good-sized towns wholly destroyed, including the town of Cloquet, with a population of some 12,000 people; 450 people lost their lives, and some 2,000 people received personal injuries sufficient to require medical attention.

Here, in the cold and direct words of the Director of the Railroads, is the story of the most devastating and heart-rending calamity that has come to my State and my people. We must draw heavily upon our imagination in order to picture to ourselves this cruel tragedy—4,000 homes scattered over a countryside approximately 30 miles square, including also several small villages; 450 charred bodies of men, women, and children; and among them many of those who in the morning hour had laughed and played on their way to school.

Two thousand maimed and injured in the brave fight they made to save human lives.

That night the dying embers of ruined homes were all that remained of a community that in the morning was pulsating with the activities of a happy people.

Broadly speaking, I have drawn this meager and inadequate picture of a frightful calamity in order that you may understand the extent of the damages suffered.

It must be conceded that whoever was to blame for this terrible catastrophe had a heavy burden to bear. The least that could be expected would be payment in full of the property loss suffered. Where loss has been inflicted upon one person by reason of the alleged fault of another, two things must be proved as a basis for recovery: First, who caused the damage; and second, the amount of the damage.

These two things, so far as the argument here is concerned, have been definitely and absolutely determined. Seven test cases scattered throughout the burned area were tried. Four of these cases were appealed to the Supreme

Court and decided against the railroad. The question of responsibility was fixed, absolutely and conclusively. There is no question as to liability.

I quote from the report on this claim:

At any rate, the testimony clearly indicates that the responsibility and legal liability of the United States Railroad Administration was settled by the courts and is not an issue so far as the merits of this bill are concerned. Any attempt to try to raise that issue is simply an attempt to say that the courts were wrong and, as Judge Dancer pointed out, under the law, the Government was bound by the decision of the courts.

The amount of the damages has been determined and is equally well settled. Nothing could be more definite and accurate because the exact amounts have been ascertained either through law suits or by agreements.

All the claims here made rest upon judgments entered in court, or upon agreements entered into in writing between the attorneys for the railroads and the claimants. After checking and rechecking, the attorneys for the railroad had beat down the amount claimed and then 50 percent was paid upon the amount so beaten down. This was not a compromise payment. It was an arbitrary payment of half the amount arrived at by compromise. Judgment was entered upon each and every claim and a percentage—40 percent in claims over \$25,000 and 50 percent in claims under \$25,000—was paid. The balance remains unpaid but the poverty-stricken settlers were forced, in order to get something, to acknowledge payment in full.

I now come to the question of the settlement made by the claimants. We must bear in mind that seven test cases were tried. Some of the test cases mentioned were tried before juries, but as an additional and different test the Railroad Administration and the settlers stipulated that the Peterson case should be tried before five judges sitting not only as a court but also as a jury to determine the facts. They also stipulated in writing that the decision in this case should govern and control 278 other cases in the city of Cloquet.

While these cases were in progress, the attorneys for the Railroad Administration repeatedly stated that if the courts held the Government liable, payment would be made in full. If the Government was not liable, they would not pay a cent. In other words, they would not compromise. They would pay all or nothing.

I read from the report, on page 2:

The testimony of the fire sufferers showed that before the litigation, which was protracted and expensive, the Government indicated that it would either pay all or none of the damage; that if the courts held the Government liable, it would pay in full; that if the courts held the Government was not responsible, it would not pay a cent. Not until after the court decisions favorable to the fire sufferers did the Director General indicate any willingness to compromise or pay part of the losses. The Director General refused to follow the Minnesota courts or their decisions. He was arbitrary. The fire sufferers were destitute. They faced the possibility of years of litigation and were forced to accept what the Director General was willing to pay and execute such papers as he required. The committee in the Seventy-first Congress felt that such action was unfair, and not binding on the claimants, after hearing the witnesses and the testimony. Congress is the only place where the claimants can come for redress, due to the releases, etc. As was pointed out by Congressman PEAVEY in his testimony (p. 11 of hearings), Congress does not pass upon claims where the claimant has a legal obligation he can enforce against the Government.

From Senate report, page 3, I read this sentence:

Claimants were told when the cases were being tried that if they were successful, they would be paid in full; that if they lost, they would not be paid one cent.

Mr. Baldwin, the Minnesota attorney for the Railroad Administration, said this to Judge Cant when the judge suggested a compromise of all the cases:

Judge Cant, we are entitled to a decision in this case. The Government demands a decision. If we are liable, we will pay every dollar we owe. The Government is not a Jew proposition. We will pay the people 100 cents on the dollar if we lose. If we win, we will not pay one cent. But we are entitled to a decision, and we demand it.

Let me say, by the way, that Judge Cant was one of the great and outstanding judges of the West. Shortly after he

made the decision in the fire cases he was made a Federal judge and served with great distinction until his death.

One of the witnesses before the Committee on Claims said this:

Our understanding was that if we won the Cloquet (Peterson) case, our troubles were over and the Government would come in and settle the whole thing, would pay 100 percent—

Just as they had proposed to do.

But what happened? The Cloquet case was won. All the cases scattered throughout the devastated district were won. The Cloquet case went to the Supreme Court. Judgment was entered for the sum of \$30,000. Nothing could be realized upon an execution. There was nothing upon which the sheriff could levy. The law specifically provided that the railway properties were not subject to execution or levy.

The law also provided this, in section 206:

Final judgments, decrees, and awards in actions, suits, proceedings, or reparation claims of the character above described rendered against the agent designated by the President under subdivision (a) "shall be promptly paid out of the revolving fund."

But instead of paying according to understanding had before the trials were finished, the attorneys for the Railroad Administration now reversed their attitude. Here is the record:

Three judgments were entered, and when the decisions were affirmed in the Supreme Court in July 1921 we asked the Government to pay those judgments. Mr. Davis absolutely refused to pay them. Although we had tried the case three times and had entered judgment for costs and interest, he absolutely refused to pay. The demand for payment of the Cloquet judgments was not later than August 11, 1921 (p. 118 of hearings).

Mr. CHRISTGAU. What reason did he state for the refusal?

Mr. ARNOLD. He did not give any reason. He said he would not pay them, and never has paid them. Not only that, but the day after the decision of the five judges, to wit, on the 17th day of September 1920, the Railroad Administration attorneys announced that thereafter there would be no more grouping of cases; that we would have to try each case separately to a jury or get no results; they would not take any more cases before the judges; that they were all through with the trial of group cases before the judges.

Mr. Davis knew that it would take about 6 weeks to try each case. He knew that if all the judges in the State of Minnesota were employed in the trial of cases then pending, it would take 10 years to dispose of the cases. He knew that the five judges in the district could not finish the cases in two generations. He knew he had these helpless, shattered human wrecks up against a stone wall. They were at his mercy. He was a dictator whose terms could not be modified or questioned.

And this is what he said to those who so recently had buried 500 of their children, their kin, and their neighbors: "You have your choice between taking 50 cents on the dollar of your actual loss or trying these cases one by one through endless time."

Let me quote the record:

Mr. DAVIS. I have to assume the responsibility of this, and I do so very cheerfully. I have always understood this—that this was the theory—I made that proposition and it was final; they could take it or leave it, but they were not deprived of any legal right.

Mr. HOLLISTER. I have always considered this the rankest kind of coercion.

Mr. DAVIS. In what way?

Mr. HOLLISTER. The proposition you made that the claimants could take your offer or leave it, which left them only the opportunity to try the cases one after another, which would have taken years and years. Moreover, there was no way to collect the judgment when we got one, except through good "Santa Claus" Davis.

Mr. DAVIS. There was nothing except the written proposition I made.

Mr. HOLLISTER. You told us that was final, and we could take it or leave it. If we had to go into court with these little cases, of which there were hundreds and hundreds, it would have cost more than the alternative.

There is your stone wall. There is the picture of ruthless power upon the one side and helpless lack of resistance upon the other.

These people—the fire sufferers and the Director of Railroads—were not dealing with each other at arm's length—they were not standing upon the same level. One had the

power and used it, the other had nothing but weakness—no choice but to submit.

Yes; there was a settlement—but what kind of a settlement?

If you owed me \$1,000 on a promissory note and had the money to pay me with and I went to you and asked you for payment, explaining that I was in dire need, that my child was sick, and that I must have the money and could get it nowhere else—if under these circumstances you offered me \$500 and no more, take it or leave it, and I took the money because I could not bear to see my child suffer, would that be a settlement that would be binding upon me, would it be a compromise? It would not.

It is under these circumstances that this bill is now before this House to reimburse some 8,000 fire sufferers whose unpaid half of their claims averages \$1,000 each—a total of about \$8,000,000.

I wish I had the time to read to you the testimony given at the hearings before the Committee on Claims, but I must be satisfied to submit the findings made. In three different Congresses has the Committee on Claims reported this bill out favorably. Let me quote some of the findings of the committee:

The testimony of the fire sufferers showed that before the litigation, which was protracted and expensive, the Government indicated that it would either pay all or none of the damage; that if the courts held the Government liable, it would pay in full; that if the courts held the Government was not responsible, it would not pay a cent. Not until after the court decisions favorable to the fire sufferers did the Director General indicate any willingness to compromise or pay part of the losses. The Director General refused to follow the Minnesota courts or their decisions. He was arbitrary. The fire sufferers were destitute. They faced the possibility of years of litigation and were forced to accept what the Director General was willing to pay, and execute such papers as he required. The committee in the Seventy-first Congress felt that such action was unfair, and not binding on the claimants, after hearing the witnesses and the testimony (p. 2 of report).

To summarize the situation briefly, lawsuits affecting the liability of the Government in various areas were tried as the litigation progressed. The Government was held liable in this litigation. The Government then made offers to settle for 40 or 50 percent of the loss, as determined by it, in these various areas. It made no settlement of claims of doubtful liability.

As Mr. Davis, Director General of Railroads, said in his letter to President Harding (p. 28 of printed hearings) and in his proposition of settlement (p. 29 of printed hearing), only claims were settled where they had a legal claim against the Government. We quote his exact language:

"This right to adjust and settle is based only upon legal demands which would ordinarily be enforceable in a court of justice. (See p. 29 of printed hearings.)

"We stress this fact because the bill, H.R. 5660, affects only those claimants who suffered loss and who were recognized by the Railroad Administration as having legal demands, and who received a part payment on that account. In no cases were any settlements made unless the legal liability of the Government was recognized (p. 5 of hearings).

"There is no question but that they (the fire sufferers) were under compulsion in accepting that settlement of 50 cents on the dollar. Two years after the fire the five judges met and signed a letter and sent it to the Railroad Administration. It was dictated by Judge Cant. He wrote and we subscribed to it, and it was to the effect that it would take all the judges of the State 10 years to try all those cases. We spent several months listening to the testimony on one case. That did not include all the damages but only the damages of one man. It would have taken months and years to hear all the testimony and decide how much each citizen was entitled to receive. Those districts were prostrated, and the people could not wait" (p. 95 of printed hearings).

Again, Judge Dancer says:

"I realize, however, that if every such individual were compelled to bring suit against the Government to establish his claims the result would be complete denial of practical justice" (p. 5 of hearings).

As appears from the testimony of Judge Dancer, and from undisputed facts, both in the Government testimony and from the other witnesses, your committee cannot find that the settlements were fair to the fire sufferers, and does not believe they should be bound by the releases executed by them in order to receive partial payment of their loss (p. 6 of hearings).

The testimony developed in the hearings on this case is uncontroverted as to the situation which resulted in part payment of the losses suffered by the fire claimants. The testimony leads to the conclusion that the fire sufferers were practically forced to accept such payments as the Director General of Railroads was willing to make. When he made those part payments, it is true that the fire sufferers had no other alternative except to comply with his pronouncements. He required that a legal release of all claims against the Government be executed; he required that a

legal stipulation for the entry of judgment be executed; he required that a legal satisfaction of judgment be signed and executed. He took all these steps so as to forever bar any claimant from having any legal or equitable causes of action against the United States in any of its courts. The only redress, therefore, which the claimants in this bill have is a bill in Congress.

The Government is still indebted to them, in spite of these legal instruments, for the balance of a loss which was ascertained by the Government, on a liability that was established by the courts of Minnesota, and on which only partial payment has been made.

The United States insists that its citizens discharge their duties and obligations fully. In collecting income taxes, it does not accept a percentage of the amount due. This Government should, therefore, recognize its just obligations and, through Congress, ought to treat fairly with its citizens. Either the Government owed the fire sufferers the amount of loss which each of them sustained or else it owed them nothing. It recognized liability in making part payments on these claims. The only way that justice can be done is to pass this bill and pay the balance (pp. 8-9 of hearings).

The Attorney General has carefully gone over the record and over his own signature he has given his support to this bill. This letter of the Attorney General, addressed to the President, was by the President transmitted to Mr. BLACK, Chairman of the Committee on Claims, with a letter from the President, in which he states that he concurs with the opinion of the Attorney General.

This bill, which for convenience has been substituted for my bill introduced in the House, has been passed by the Senate without a dissenting vote, and this vote today should do justice delayed 12 long years.

This calamity is without precedent or analogy for the following reasons:

First. The responsibility for this disaster, after extended litigation, was placed squarely on the Government by the highest court of Minnesota.

Second. Thereafter the Director General, in opposition to the contentions of the various claimants, himself fixed the extent of the loss of each claimant.

Third. The Director General then arbitrarily offered 50 percent of the amount of loss he himself had fixed and told the claimants they could take it or leave it.

Fourth. There was no forum, nor could there be any forum, where 8,000 claimants whose entire earthly possessions were destroyed could get relief in their extreme condition.

In closing let me say that there are now in the hands of the Railroad Administration unexpended funds in the amount of \$19,000,000 available for payment of this claim.

The payment should be made.

The Attorney General has given consideration to the question of settlement involved; and after having looked it all over, he said the bill is meritorious. The President agrees.

Let us do justice to 8,000 people most shamefully wronged.

THE PRIVATE CALENDAR

The SPEAKER. The Clerk will call the bills on the Private Calendar.

WILLIAM L. JENKINS

Mr. DITTER. Mr. Speaker, I ask unanimous consent that no. 248 on the calendar, H.R. 1939, for the relief of William L. Jenkins, which was passed when last we considered the Private Calendar be called at this time. It was passed at that time with the understanding that it would be called when the Private Calendar was again called.

The SPEAKER. The Clerk will recall that bill which was passed over without prejudice.

The Clerk called the bill (H.R. 1939) for the relief of William L. Jenkins.

The SPEAKER. Is there objection?

Mr. TRUAX. Mr. Speaker, I reserve the right to object. This claim was incurred on December 8, 1916. As I said when the bill was last under consideration, I think it is bad policy for us to go back that far in settling claims, when we are making every effort to hold down expenses of the Government and balance the Budget, insofar as the operating expenses of the Government are concerned.

Mr. DITTER. Mr. Speaker, will the gentleman withhold his objection?

Mr. TRUAX. Yes.

Mr. DITTER. I believe I can explain satisfactorily why that is so. The purposes of the bill, that is, the relief of Mr. Jenkins, growing out of the destruction of vouchers that are required by the accounting department, was not brought to the attention of Mr. Jenkins until 1930. It was not until there was provision made through another act, providing for a \$400 item due by the Government to Mr. Jenkins, that his attention was directed to the fact that these vouchers had been destroyed during the war period in 1917.

Mr. TRUAX. Will the gentleman yield?

Mr. DITTER. I yield.

Mr. TRUAX. When was the bill first presented in Congress?

Mr. DITTER. The last Congress passed this bill, as far as the House was concerned, and it died in the Senate. My predecessor, Mr. Watson, handled the bill during the last Congress. It passed the House and it died in the Senate. There was no objection at the time the bill was handled at that time in the House. If the gentleman will refer to the complete report he will find substantiation of my statements regarding the matter of delay, in the latter part of the report, confirmed by the State Department. I feel that this is not a case where the charge of laches or undue neglect should be brought to bear against this claimant. It does not involve the payment of any money. The merit of the matter concerns destruction, during the war period, of the files of the Government, including vouchers, for which destruction the claimant is in no way responsible.

Mr. TRUAX. Does the State Department recommend the passage of this bill? I mean the present Department.

Mr. DITTER. The present State Department?

Mr. TRUAX. Yes.

Mr. DITTER. No. I cannot say that it has been referred to the present State Department. In other words, I do not have information by which I would want to assure the gentleman that the present State Department has had this matter under its consideration.

Mr. TRUAX. I would suggest that the gentleman permit the bill to be passed over without prejudice and secure the recommendation of the present State Department.

Mr. DITTER. Will that not just be a matter of further delay, with the probability of adjournment, and then I will be faced with exactly the same question that is presently raised, the matter of unusual delay in the presentation of the claim? I think the State Department meritoriously has passed on it. The Committee on Claims has passed on it. It simply means that the unfortunate circumstance of war caused the destruction of some of the State records, including vouchers, under the control of this consul.

Mr. TRUAX. Until the gentleman secures the recommendation of the present Department of State, I will be forced to object to it unless he wants to pass it over without prejudice.

Mr. BLANCHARD. Will the gentleman yield for a moment?

Mr. TRUAX. Certainly, I yield.

Mr. BLANCHARD. I want to refer to the statement made by the gentleman from Ohio, and, if the chairman of the committee were here, he would confirm it. That same suggestion has been made on other occasions with reference to departmental regulations and departmental recommendations, and in each instance where we have suggested to the department in charge of a matter of this kind that they give us a new recommendation, they tell us invariably that it is a matter of policy that has been determined by the department, and they always refer us to the previous communication that came from the department.

Mr. TRUAX. Mr. Speaker, I am going to withdraw my objection unless my colleague from Washington [Mr. ZIONCHECK] desires to object.

Mr. ZIONCHECK. Mr. Speaker, reserving the right to object, I understand the same bill was objected to heretofore. I have not had an opportunity to go into it. I think the request made by the gentleman from Ohio [Mr. TRUAX] is a sound reservation, asking for a departmental report,

and therefore, in the absence of that request being consented to, I am going to object.

Mr. DITTER. May I correct the gentleman? There was no objection to this bill in the past Congress.

Mr. ZIONCHECK. I gathered from the gentleman from Indiana [Mr. GRISWOLD], who was just here, that there was objection. I was not here, so I could not tell the gentleman.

Mr. DITTER. May I ask, Mr. Speaker, that the bill be passed over without prejudice, in order that I may satisfy my colleague from Ohio, and allow it to stand as the first bill to be called on the next call of the calendar?

The SPEAKER. Without objection, the bill will be passed over.

There was no objection.

ELECTION—NEW BRITAIN, CONN.

Mr. KOPPLEMANN. Mr. Speaker, yesterday in the second largest city of my district there was an election and I have a telegram from Mr. W. J. Farley, as follows:

New Britain goes Democratic by over 1,900.

In this city, Mr. Speaker, there was a Republican mayor who had served for several terms. Yesterday he was defeated by Attorney David L. Dunn, a Democrat. The vote emphasizes to me, as it must to the Members of the House, the continued confidence in the Democratic government of this country. By the fact that it was a turnover from Republican to Democratic, it shows increased confidence in the achievements of this Congress and our President. [Applause.]

PRIVATE CALENDAR

MRS. GEORGE LOGAN ET AL.

Mr. LAMBERTSON. Mr. Speaker, I should like to refer back to Calendar No. 258, H.R. 2416. Consent was given to take it up on next calendar day, and it was passed over temporarily.

The SPEAKER. The Clerk will report the bill.

The Clerk called the bill, H.R. 2416, for the relief of Mrs. George Logan and her minor children, Lewis and Barbara Logan.

The SPEAKER. Is there objection?

Mr. ZIONCHECK. Mr. Speaker, reserving the right to object, I have gone into this bill since I have talked with the gentleman from Kansas [Mr. LAMBERTSON]. There is still great doubt in my mind whether there is any causal connection between this wound and the death, there being a 6-year period of intervention between the time of the wound and the time of the death, but there is some doubt in my mind, and if the gentleman will accept \$3,000 instead of \$5,000, I will not object. That will reduce it \$2,000.

Mr. LAMBERTSON. If that is the very best the gentleman will do, then reluctantly I accept the reduction.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to Mrs. George Logan and her minor children, Lewis and Barbara Logan, as dependents of George Logan (deceased), who sustained injuries in line of duty and later died of such injuries, which were received while on duty as a prison guard at Fort Leavenworth, Kans.

Mr. ZIONCHECK. Mr. Speaker, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. ZIONCHECK: Page 1, line 5, strike out "\$5,000" and insert in lieu thereof "\$3,000."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

ROBERT B. JAMES

The Clerk called the next bill, H.R. 2541, for the relief of Robert B. James.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay to Robert B. James, out of any money in the Treasury not otherwise appropriated, the sum of \$7,000, the amount of a fine paid by Robert B. James in pursuance of a judgment entered upon a plea nolo contendere under certain provisions of the so-called "Lever Act" previous to the time that the Supreme Court of the United States held such provisions void, the said plea and said payment being made under a stipulation as follows: "In consideration that the Attorney General and this court shall accept the plea nolo contendere which I hereby tender to the above-entitled indictment, I do hereby waive any and all fines which the court may see fit to impose upon me upon such pleas, except in the event that the so-called 'Lever Act' under which said indictment is found shall be declared unconstitutional by the Supreme Court of the United States and that no prosecution could be sustained upon the facts stated in said indictment: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

G. ELIAS & BRO., INC.

The Clerk called the next bill, H.R. 2558, for the relief of G. Elias & Bro., Inc.

Mr. BLANTON. Mr. Speaker, reserving the right to object, this bill carries \$30,859.28 based on a claim that after bids were submitted and contracts were let, the specifications were changed, and they are asking the Government to pay them this \$30,859.28 additional.

A similar bill was pending in the Senate in 1932, carrying the number S. 1220, which bill sought to appropriate in settlement of this claim \$52,268.56. Thus in 1932 they were demanding \$52,268.56. The bill through Senator Howell, was submitted to the War Department for a report; and the Secretary of War, Mr. Patrick J. Hurley, reported on the same as follows:

The records do not show that any additional packing or crating, other than that required under the contract, was requested or accomplished, and therefore any claim therefor is not justified.

The records show that the bids by G. Elias & Bro., Inc., while the lowest among several competitors, were not considered unreasonably low. Any alleged loss because of additional costs of production, therefore, must be attributed to the errors of the contractor and not as a result of any act of the Government agents.

In view of the foregoing, this Department can see no merit in the proposed relief, and favorable consideration of the bill S. 1220 is, therefore, not recommended.

So I do not feel that this \$30,859.28 ought to be taken out of the Treasury. I must object. I reserve my objection, however, since the gentleman from New York asks that he be allowed to make an explanation, but eventually I shall object.

Mr. MEAD. Mr. Speaker, I may say to the gentleman from Texas that the original request was for some \$50,000, but our subcommittee reduced it to the amount contained in the bill. If the gentleman will allow the bill to go over without prejudice, I shall give him an itemized statement of the losses incurred as the result of changes in specifications ordered by Government agents.

Mr. BLANTON. Mr. Speaker, I hate to object to the gentleman's bill because of my friendship for him and also because of the splendid work he does on our Post Office Committee; but he must know that former Secretary of War Hurley said there was no change made in the specifications. Such a claim was not made when the original claim was made against the Department. This is an afterthought and was not raised until 1927. Under these circumstances I feel impelled to object.

Mr. MEAD. This firm up until a short while ago had been doing a prosperous business in Buffalo. It recently became bankrupt.

Mr. BLANTON. They had two contracts, and were paid in full for all that was due them under such contracts.

Mr. MEAD. They were forced into bankruptcy; the corporation has been wiped out after having been in existence for many years. The owner died, his friends say of a broken heart; and the contracts he had with the United States Government helped to ruin him financially. No one is left but his widow. I shall be very glad to furnish the gentleman with an itemized statement of the costs, together with such information concerning the orders and instructions, as we furnished the subcommittee; and at that time if he desires to object he will still have that right.

Mr. BLANTON. I must say to the gentleman from New York that in 1932 I went into this bill carefully and checked it up. I had very definite ideas then, which I still entertain, that this is not a just claim against the Government, and that we should not pay out this \$30,859.28. I am forced to object, Mr. Speaker.

G. ELIAS & BRO., INC.

The Clerk called the next bill, H.R. 2561, for the relief of G. Elias & Bro., Inc.

Mr. BLANCHARD. Mr. Speaker, reserving the right to object, would the gentleman from New York be willing to accept the usual attorneys' fee amendment?

Mr. MEAD. Yes; I shall be very glad to.

Mr. BLANCHARD. I should like to ask the gentleman further with reference to the amount of the claim. I see it is \$4,400.

Mr. MEAD. Yes. We reduced it by, I think, \$3,000 before the subcommittee.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to G. Elias & Bro., Inc., out of any money in the Treasury not otherwise appropriated, the sum of \$4,400 in full settlement for losses suffered by said company on account of priority orders and other conditions arising out of the late war with Germany which prevented the delivery of lumber specified under contract with the United States Navy Department no. 29497 within the time specified, for which contract bid was submitted by said company prior to the entrance of the United States into the late war.

Mr. BLANCHARD. Mr. Speaker, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. BLANCHARD: At the end of the bill add the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TEXAS MILITARY COLLEGE, TERRELL, TEX.

The Clerk called the next bill, H.R. 2650, for the relief of the Texas Military College, of Terrell, Tex.

Mr. BLANCHARD. Mr. Speaker, I object.

CORA A. BENNETT

The Clerk called the next bill, H.R. 2667, for the relief of Cora A. Bennett.

Mr. HANCOCK of New York. Mr. Speaker, I object.

Mr. TARVER. Mr. Speaker, will the gentleman reserve his objection?

Mr. HANCOCK of New York. I reserve the objection.

Mr. TARVER. Will the gentleman state why he is objecting to the bill?

Mr. HANCOCK of New York. This decedent died in 1918 of influenza, and according to the report there is no connection whatever between his death and his Government

service. There is not a line in the report which would indicate that his death was in any way connected with his service.

Mr. TARVER. The purpose of the bill, as the gentleman of course, will observe, is to afford this widow an opportunity to show to the Compensation Commission that her husband's employment did bring about his death. The report from the decedent's superior officer is dated almost 3 months after his death.

It is apparent that there was great negligence in even reporting the death of this man, and it is also apparent that the officer who made the report could not report that his death was in line of duty because he was not apprised of the circumstances under which the man died. It has not been thought necessary, in view of the fact that Congress has passed many bills of this character simply vesting jurisdiction in the Commission to hear the facts, to submit evidence showing that death did result because of the performance of decedent's duties. The evidence could readily have been obtained, but it has not been required in the cases of other bills of this character passed by the House.

May I ask the gentleman if he does not think it fair that this widow under the circumstances should be accorded the opportunity of showing to the Commission that her claim is well founded? This opportunity she has never had.

Mr. HANCOCK of New York. I dislike, of course, to object to bills of my colleagues, but unless there is some reason for believing that this might be regarded as a meritorious claim for compensation, and unless some excuse is offered for the delay of 16 years, I feel I should object.

Mr. TARVER. The delay has not been 16 years, may I say to the gentleman. This bill has been introduced in several prior Congresses, but has never been reached for consideration. The lady did not know that she had any right to file a claim under the Employees' Compensation Law, but as soon as she found it out she began pressing for relief. It is a very minor matter, so far as the Government is concerned, but it is of importance to the widow, who cannot under the terms of this bill secure anything to which she is not entitled under the evidence which may be submitted. No harm can be done by its passage and great harm might be done to her if this bill is not passed.

Mr. HANCOCK of New York. The only evidence we have in connection with the case itself is in the report of the War Department, which states that James D. Bennett died of influenza while on temporary duty and that his death was not incident to his service. There is no contradiction of this statement, and I cannot see that there is a basis for a claim here. Very reluctantly I feel compelled to object.

Mr. TARVER. It further appears, if my colleague will notice, that Col. Jack Hayes, the superior officer of this man, reported his death under date of February 15, 1919, when, as a matter of fact, death occurred on October 29, 1918, almost 3 months before. He had not become aware of his death until 3 months after the death occurred.

Mr. HANCOCK of New York. Even so, that is a long time ago.

Mr. TARVER. The statement that his death was not in line of duty should not preclude this widow from submitting her case to the proper authorities.

Mr. HANCOCK of New York. I think there should be some evidence submitted to warrant the case's being submitted to the Commission.

Mr. TARVER. There has not been evidence submitted in other cases of similar character during this Congress and prior thereto to show the facts in each case. That is, evidence that would be submitted to the Commission in the event a hearing was accorded. For this reason, I did not think it was necessary in this case.

Mr. HANCOCK of New York. I think question of fact should be presented.

Mr. TARVER. I am sorry the gentleman feels that way about the matter.

Mr. HANCOCK of New York. Mr. Speaker, I object.

BONNIE S. BAKER

The Clerk called the next bill, H.R. 2682, for the relief of Bonnie S. Baker.

Mr. BLANCHARD. Mr. Speaker, reserving the right to object, may I ask the gentleman from Georgia if it is not true that the Department found, as a matter of fact, that the former postmaster was guilty of negligence in the handling of these Government funds or stamps?

Mr. TARVER. The Department so finds, but if it had found otherwise it would not have been necessary to appeal to Congress for relief. The Department itself would have afforded whatever relief was necessary.

This is another class of bill considered favorably by the House. The amount involved is only \$100.29. This widowed postmaster had an assistant in charge in a country post office. This assistant left the money, which belonged to the Government, in a metal box while he went about 30 feet to get lunch. While he was gone a window was broken and a thief stole the \$100.29. It occurs to me that the finding by the Department to the effect that this postmaster was negligent in the premises is necessarily without evidence to support it. It has not been deemed necessary in rural sections of my district to take elaborate precautions against burglary and probably the precautions taken in this case were similar to those taken by others under similar circumstances. It occurs to me that even if the assistant postmaster might have been to some extent at fault, there is no reason for penalizing this widowed postmaster because of circumstances which she could have in no way avoided.

Mr. BLANCHARD. There must be some reason for regulations and law, and clearly in this case the regulations and the law were not complied with.

Mr. TARVER. I do not see how the gentleman can say that they were not complied with. Does the gentleman expect a country postmaster to maintain an iron safe for the purpose of keeping safely the money belonging to the Government?

Mr. BLANCHARD. If the law so required, I would certainly expect that to be done.

Mr. TARVER. The gentleman's expectations are so out of line with what I consider to be reasonable and just that I hardly know how to answer his statement. Many bills of this sort have been passed without objection. If the gentleman objects to paying this lady the small amount of money involved, that is his responsibility.

Mr. BLANCHARD. I am not going to object. The gentleman need have no fears on that score.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$100.29 to Bonnie S. Baker, former postmaster at Gore, Ga., to reimburse her for currency and coin in that amount stolen from said post office by burglary on November 18, 1930, which said loss was sustained without negligence on the part of said postmaster and was by her repaid to the Government from her private funds.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSTRUCTION OF POST OFFICE AT LAS VEGAS, NEV.

Mr. SCRUGHAM. Mr. Speaker, I ask unanimous consent to return to the bill (H.R. 3900) authorizing the Secretary of the Treasury to pay certain subcontractors for material and labor furnished in the construction of the post office at Las Vegas, Nev.

Mr. ZIONCHECK. Mr. Speaker, reserving the right to object, is this the bill that the gentleman from Indiana [Mr. GRISWOLD] objected to the last time the calendar was called?

Mr. SCRUGHAM. Yes; and I have seen the gentleman and talked with him about it.

Mr. ZIONCHECK. And he has no objection to returning to the bill and passing it?

Mr. SCRUGHAM. No; and, in fact, he suggested to me the procedure to be followed.

Mr. ZIONCHECK. Then, Mr. Speaker, I have no objection to returning to the bill.

The SPEAKER pro tempore (Mr. Bloom). Is there objection to the request of the gentleman from Nevada?

There was no objection.

The Clerk read the title of the bill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to subcontractors, labor, and material men who furnish labor and material to the Plains Construction Co., defaulted general contractor for the construction of the post office at Las Vegas, Nev., such sums as he may consider equitable and just to reimburse said subcontractors, labor, and material men for unpaid accounts left by said Plains Construction Co. at the time of its default, said sums to be paid only upon proper proof of actual losses sustained exclusive of profit; and there is hereby made available for this purpose not to exceed \$20,000 from any sum which may remain from the lump-sum appropriations made for building-construction purposes, notwithstanding the amount of the claims of said subcontractors in addition to the cost of completing the building exceed the limit of the cost for the construction of the Las Vegas post office.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSEPH SHABEL

The Clerk called the next bill, H.R. 2689, for the relief of Joseph Shabel.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, from any funds in the Treasury not otherwise appropriated, to Joseph Shabel the sum of \$5,000 in full settlement of all claims against the Government for injuries and damages sustained when struck by a Government automobile on May 7, 1932, said automobile having been driven at the time by Hayden N. Bell, a Federal prohibition agent: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$5,000" and insert in lieu thereof "\$2,579."

The committee amendment was agreed to.

Mr. TARVER. Mr. Speaker, I desire to offer an amendment. In line 5, after the word "to", insert the words "Edward Shabel, son of."

The Clerk read as follows:

Amendment offered by Mr. TARVER: Page 1, line 5, after the word "to", insert the words "Edward Shabel, son of."

Mr. BLANCHARD. Mr. Speaker, may I ask the gentleman the number of this bill?

Mr. TARVER. It is Calendar No. 267, and may I say to the gentleman that the claimant has died subsequent to the reporting of the bill, and I am simply inserting the name of his only son.

The amendment was agreed to.

Mr. TARVER. Mr. Speaker, I offer another amendment, in line 5, after the words "Joseph Shabel", insert the word "deceased."

The Clerk read as follows:

Amendment offered by Mr. TARVER: Page 1, line 5, after the word "Shabel", insert the word "deceased."

The amendment was agreed to.

Mr. TARVER. Mr. Speaker, in line 7, page 1, after the word "sustained", I move to insert the words "by Joseph Shabel."

The Clerk read as follows:

Amendment offered by Mr. TARVER: Page 1, line 7, after the word "sustained", insert the words "by Joseph Shabel."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended to read as follows: "A bill for the relief of Edward Shabel, son of Joseph Shabel."

LULA A. DENSMORE

The Clerk called the next bill, H.R. 2692, for the relief of Lula A. Densmore.

Mr. TRUAX. Mr. Speaker, reserving the right to object, I want to call the attention of the gentleman from Georgia to the fact that he has some meritorious bills here and no one is objecting to them.

Mr. TARVER. The gentleman from Georgia appreciates that very much.

Mr. TRUAX. I think this bill is a meritorious one, but all of these bills are for the relief of private individuals. We have two petitions on the Clerk's desk that are for the relief of thousands and hundreds of thousands of individuals in this country. One is the petition to discharge the committee from the consideration of the McLeod bill and the other is a petition to discharge the committee from further consideration of the Frazier-Lemke bill. I should like to ask the gentleman from Georgia if he has signed either one of these petitions.

Mr. TARVER. No; and I have no intention of signing them, may I say to my colleague, since I do not entertain the same opinion of this legislation that he does. Of course, I recognize the fact that my colleague is out of order in calling my attention to matters of this sort and in seeking to obtain a statement from me regarding my position concerning them during the consideration of this calendar but, since the gentleman has undertaken to do so, I have no hesitancy in telling him that I think both of these bills are bad legislation; and I have not only not signed either of the petitions to discharge the committee, but I have no intention of doing so.

Mr. TRUAX. I thank the gentleman for his clear-cut statement. There is no question about the gentleman's position, and I am pleased that his bills are meritorious, so that I do not have to object to them.

Mr. TARVER. I thank the gentleman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any funds in the Treasury not otherwise appropriated, to Lula A. Densmore, widow of Clarence Densmore, the sum of \$15,000 in full settlement of all claims against the Government of the United States for damages incurred by the killing of Clarence Densmore, her husband, on a public highway of Douglas County, Ga., by Fred Pierce, a Federal prohibition agent, which said killing occurred on July 13, 1932: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$15,000" and insert in lieu thereof "\$5,000."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

A. C. FRANCIS

The Clerk read the title of the next bill on the calendar, H.R. 2748, for the relief of A. C. Francis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to A. C. Francis, sheriff of Midland County, Tex., the sum of \$204.30 as reimbursement of

expense incurred in connection with the apprehension of William Dunn Reiger, a fugitive from justice wanted by the Federal Government.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

E. B. ROSE

The Clerk read the title of the next bill on the calendar, H.R. 2749, for the relief of E. B. Rose.

The SPEAKER pro tempore. Is there objection?

Mr. BLANCHARD. I reserve the right to object.

Mr. THOMASON. Mr. Speaker, I hope the gentleman will not object. I have personal knowledge of this claim, and I believe it is meritorious.

Some years ago we had a law that permitted stock people to take their livestock to Mexico for temporary pasturage. We had a bad drought situation in that country along the Mexican border. This man, George D. Miers, took a herd of sheep to Mexico where he later sold them to the claimant, E. B. Rose.

These sheep, or their offspring, were brought back to the United States prior to the expiration of the law. The law expired on December 31, 1925.

A careful reading of the report of the Secretary of the Treasury, Ogden Mills, will disclose that the objection was on account of the fact that they did not believe that Mr. Miers went to Mexico for a temporary residence.

Now, I know that both Mr. Miers and Mr. Rose are American citizens with permanent residence in Texas. There are a number of affidavits in the case which have been filed since the report of Secretary Mills. There are affidavits or statements of 11 citizens of Del Rio, including the mayor, postmaster, district judge, district attorney, and other prominent citizens to the effect that Miers resided in Del Rio, Tex., and was in Mexico only for temporary business reasons.

Mr. BLANCHARD. I notice that he took the sheep to Mexico in 1921 and did not return them until 1925.

Mr. THOMASON. That makes no difference for he was within the law. The law did not expire until December 31, 1925. The sheep were returned February 2, 1925, nearly a year before the law expired.

Mr. BLANCHARD. The question turns on the fact whether he went to Mexico for a temporary purpose.

Mr. THOMASON. A number of the most prominent citizens of Del Rio, Tex., make statements which the gentleman will find at the bottom of page 7 in the report, and all to the effect that both of these men were permanently residing in this country.

Mr. BLANCHARD. And during all the time from 1921 to 1925 they were residents of Del Rio?

Mr. THOMASON. Yes; they lived there, and they live in that section now, and they have not lost their residence. It is a common practice for stockmen along the border to move their livestock into Mexico to pasture them and go into Mexico to trade, ranch, mine, and conduct other forms of business for several months at a time.

Mr. BLANCHARD. The gentleman has made out a good case. Will he accept the usual attorney-fee amendment?

Mr. THOMASON. Certainly.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to remit the payment by Burke Rose, of Del Rio, Tex., of the sum of \$1,230, being amount of duties demanded and collected by the Treasury Department on certain sheep returned to the United States from Mexico in the month of October 1925.

Mr. BLANCHARD. I offer the following amendment.

The Clerk read as follows:

At the end of the bill insert the following: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any

person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

E. G. DOTY

The Clerk called the next bill, H.R. 2750, for the relief of E. G. Doty.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money not otherwise appropriated, the sum of \$146.03 to E. G. Doty as reimbursement of expense incurred in line of duty as a United States deputy marshal.

With the following committee amendment:

Strike out all after the enacting clause and insert "That the Comptroller General of the United States be, and he is hereby, directed to allow Scott C. White, United States marshal, western district of Texas, credit in the amount of \$146.03, being the amount advanced by the said marshal to E. G. Doty, a deputy marshal, covering expense incurred by the said Doty in attempting to serve certain process placed in his hands for service."

The committee amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

The title was amended to read: "A bill for the relief of Scott C. White."

E. C. WEST

The Clerk called the next bill, H.R. 7437, for the relief of E. C. West.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to E. C. West, of Dunn, N.C., the sum of \$201.59 as reimbursement of substitute-clerk hire paid by him from December 31, 1921, to September 30, 1922, while acting as postmaster at Dunn, N.C.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

ELSIE SEGAR

The Clerk called the next bill, H.R. 2763, for the relief of Elsie Segar, administratrix of C. M. A. Sorensen and of Holger E. Sorensen.

The SPEAKER pro tempore. Is there objection?

Mr. TRUAX. Mr. Speaker, I object.

ESTATE OF HARRY F. STERN

The Clerk called the next bill, H.R. 2764, for the relief of the estate of Harry F. Stern.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. Mr. Speaker, I reserve the right to object. This bill seeks to pay Mr. Stern \$18,704.89 out of the people's tax money. The Treasury Department reports against it, and I am constrained to object.

Mr. TURPIN. Mr. Speaker, will the gentleman withhold his objection?

Mr. BLANTON. Yes; but in the meantime I call the gentleman's attention to this part of the report from the Acting Secretary of the Treasury:

It has been the policy of Congress to include in the revenue acts limitation provisions by the operation of which after a certain period of time it becomes impossible for the Government to assert additional liabilities, or for the taxpayer to assert a claim for a refund. It not infrequently happens that a taxpayer finds himself barred by the operation of the statute of limitations from securing a refund of an amount of tax paid in excess of what was due. In such cases the taxpayer often feels that he is entitled to get back the amount overpaid, notwithstanding that the statute of limitations has run, and bills are often introduced into Congress seeking such relief.

They go on to show that if they once go behind the statute of limitations, there is no end to such claims. I yield to the gentleman from Pennsylvania.

Mr. TURPIN. Harry F. Stern and his wife died about the same time. Their estate paid a heavy inheritance tax.

Mr. BLANTON. Which it should have done.

Mr. TURPIN. Which it should have done.

Mr. BLANTON. Because people who get the protection of the Government and have the protection of our flag all through their lifetime ought to pay for it when they die.

Mr. TURPIN. At about that same time the State of Pennsylvania had passed a recapture law in which 80 percent of the tax was to go to the State of Pennsylvania. The attorney paid the money to the Government. The recapture act of the State of Pennsylvania was attacked and was in the Supreme Court for some time. Eighty percent of the money was paid to Pennsylvania and 60 percent of the money was paid to the Government, which made practically a 50-percent payment which had been made twice. The Government admitted that it was not entitled to the money, but stood behind the statute of limitations. That came about because the law which the State of Pennsylvania passed was in the Supreme Court on the matter of its constitutionality, and the Stern estate was not asked for the money by the State until 3 weeks after the time had elapsed to re-collect it from the Government. Had they asked before that, within 3 years, the Government would have paid the money without protest.

Mr. BLANTON. Oh, I have a constituent who is entitled to a refund of \$24,000, but he waited too long, and the statute of limitations has run against him. He cannot get his money. If we were to pass a private bill going behind the statute of limitations there would be thousands of claims against the Government.

Mr. TURPIN. Does the gentleman hold that a man should have to pay his taxes twice because of an error?

Mr. BLANTON. I am a strong believer in the statute of limitations.

Mr. TURPIN. I bring to the attention of the gentleman the fact that the Claims Committee has taken this up carefully and recommended it favorably. The Senate Committee did the same thing. There is a humane side to this. The Senate passed the bill on March 29 without objection. It is a case where a man had to pay \$18,000 twice.

Mr. BLANTON. The Committee on Claims usually "recommends favorably." If I ever have to go back to the practice of law, I should like very much to practice my cases before the Committee on Claims instead of before juries and courts, because I could always get a judgment from the Committee on Claims, when sometimes I could not get one from the court.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. WALTER. In this particular matter I sent for the attorney who represented the estate and he explained that he had made a mistake. He was very frank about it. He paid \$18,000 to the Federal Government instead of to the State of Pennsylvania, and for that mistake of his the estate must pay twice.

Mr. BLANTON. When a doctor makes a mistake it is buried in the graveyard. When a lawyer makes a mistake his client must pay for it. If we do not stop asking the Government of the United States to pay for every mistake that the people of the Government make, God only knows what is going to become of the Treasury.

Mr. WALTER. I agree with what the gentleman says—

Mr. BLANTON. There must be a stop somewhere, where the Government is not liable for everything.

Mr. WALTER. This is not a case of where the statute of limitations applies as it ordinarily does, because in this case the money was actually paid.

Mr. BLANTON. I am sorry, but I shall have to object.

Mr. TURPIN. May I ask that the bill be passed over without prejudice until I can talk with the gentleman?

I wish the gentleman would withdraw his objection. This is a case where the money was paid to the Government, and the Government was not entitled to the money. Does the gentleman think the Government ought to keep it?

Mr. BLANTON. I am thinking of the bad precedent the passage of this bill would establish. It would cause thousands of new claims to be filed and would cost the Government millions of dollars. I have my duty to perform here, and I am trying to perform it. I object.

The SPEAKER pro tempore. Objection is heard.

POWELL & GOLDSTEIN, INC.

The Clerk called the next bill, H.R. 2397, for the relief of Powell & Goldstein, Inc.

Mr. BLANCHARD. Reserving the right to object, I should like to be assured by the gentleman from Pennsylvania [Mr. HAINES] of some of the details with respect to this bill.

Mr. HAINES. This is a claim for revenue stamps for cigars, supposedly lost in the mail. I want to assure the gentleman that these stamps were never lost in the mail. The fact of the matter is, these revenue stamps were never put into the envelop. We convicted the stamp clerk in the revenue office in York and collected over \$4,000 which this stamp clerk paid, and he also served 90 days in jail. I am rather confident that is where those stamps went.

Mr. BLANCHARD. That is the very point I wanted to raise in connection with this claim. As I understand the departmental regulations, if you order revenue stamps and make no provision for insurance or for registering the stamps, then the purchaser of the stamps takes his own risk. Unless I can be assured definitely that these stamps were never placed in the envelop, I certainly would have to object.

Mr. GRISWOLD. It is not the amount involved, but it is the principle that a purchaser of stamps has always been required, if he wanted to insure delivery of the stamps, to advance the cost of registering the envelop containing the stamps.

Mr. BLANCHARD. That is perfectly right.

Mr. GRISWOLD. And in this case he did not advance this cost. He took the risk whether the stamps were put in there or not. He did not protect himself or seek to protect himself under the regulations. If we allow this bill to pass, we are in the position in the future on all revenue stamps, of simply saying that they do not need to insure the delivery.

Mr. BLANCHARD. I differ with the gentleman from Indiana [Mr. GRISWOLD] to this extent, that if a Government employee never put the stamps in the envelop, then, of course, the purchaser who did take his own risk as to delivery after they were once placed in the mail has no chance of ever receiving the stamps.

Mr. GRISWOLD. He would have protected himself, because the envelop would have been properly sealed.

Mr. HAINES. This is the general practice. There is only a distance of about 18 miles between the two points. The revenue stamps were handled by employees of this Government, and it seems to me we are going pretty far if we say we cannot trust our Government employees, and that when our people put up their money and do not receive that for which they pay, we deny them that which rightfully belongs to them.

Mr. GRISWOLD. They are entitled to it, provided they take the ordinary means under the regulations to protect themselves, which this purchaser did not in this case.

Mr. HAINES. I do not like to see this poor foreman of a cigar factory lose this \$100. I say to you upon my reputation as a Member of this House that I am rather confident these revenue stamps never went into that envelop, because that revenue-stamp clerk made retribution and paid back to the Government over \$4,000, and in addition he served 90 days in jail.

Mr. GRISWOLD. The gentleman says there is proof that they were placed in the envelop.

Mr. HAINES. Oh, it is supposed so.

Mr. GRISWOLD. We can only go by the report. I must object, Mr. Speaker.

Mr. HAINES. I am very sorry.

HENRY HARRISON GRIFFITH

The Clerk called the next bill, H.R. 3161, for the relief of Henry Harrison Griffith.

Mr. HANCOCK of New York. Mr. Speaker, reserving the right to object, this is another one of those bills where we are asked to waive the statute of limitations. The claim has been outlawed for 15 years. I do wish we could adopt some uniformity of policy. Personally, I do not like to object to these bills. If the gentleman can give me some assurance that this is a meritorious claim, I do not intend to object.

Mr. ROBERTSON. Mr. Speaker, this is a very meritorious claim. This man was an old mail carrier. He came into the world right after the close of the War between the States. He received no education. He carried mail in the days when they carried it with horse and buggy, over muddy roads, exposed to all the vicissitudes of the elements. He was injured in the service and he did not know that he had a right to present a claim for compensation.

Mr. HANCOCK of New York. Can it be proven that his injuries arose from the service?

Mr. ROBERTSON. I have no personal knowledge of anything except the fact that this old fellow has been bed-ridden for the last 3 or 4 years.

He is a helpless cripple. I cannot assure the gentleman that he can establish the fact that his injuries were service connected.

Mr. BLANCHARD. But the gentleman believes there is a question of fact involved.

Mr. ROBERTSON. I think there is a good basis of fact; and I may say to the gentleman, Mr. Speaker, that this bill is in accord with the bill H.R. 2321, which was passed without objection last Tuesday, for the relief of Capt. J. O. Faria, the steamboat captain who did not know his rights and let the year run out. We gave him the right to take up his case, and that is all I am asking be done for this old bed-ridden mail carrier; give him the right to present his claim, even if he does not get anything at all.

Mr. BLANCHARD. I shall not object, but I do wish that we could agree upon a policy as to how far back we are going to permit these old claims to be dug up.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the United States Employees' Compensation Commission is hereby authorized and directed to extend the benefits of the act of September 7, 1916, entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", as amended, to Henry Harrison Griffith, a former employee of the Post Office Department, in the same manner and to the same extent as if said Henry Harrison Griffith had made application for benefits of said act within the 1-year period required by sections 17 and 20 thereof.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A. RANDOLPH HOLLADAY

The Clerk called the next bill, H.R. 3236, for the relief of A. Randolph Holladay.

Mr. BLANTON. Mr. Speaker, I shall be forced to object. This is another bill where the statute of limitations has run. This claim is in the amount of \$11,172.15, and the Treasury Department has reported against the bill. This \$11,172.15 should not be paid out of the Treasury. I shall be forced to object.

Mr. TRUAX. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. I yield.

Mr. TRUAX. I may say to the gentleman from Texas that this also is a bill to refund income taxes. I think we ought to stop all refunds of income taxes. I think Congress ought to enact a law making it illegal to refund taxes paid in years prior to 1928. Had it not been for the refunding of \$4,500,000,000 over the past 12 years we probably would have no deficit today.

Mr. BLANTON. The statute of limitations has run against this claim. Mr. Speaker, I object.

Mr. ADAMS. Mr. Speaker, will not the gentleman withhold his objection to permit me to make an explanation?

Mr. BLANTON. Certainly.

Mr. ADAMS. I think perhaps the gentleman is mistaken with respect to the statute of limitations having run against this particular claim.

Mr. BLANTON. There are some things which come from Republican Secretaries of the Treasury which I can believe. A former colleague of ours, Ogden Mills, reported against this bill when he was Secretary of the Treasury, and said it ought not to pass.

Mr. ADAMS. But there have been favorable reports on this bill.

Mr. BLANTON. Let us see what Ogden Mills said:

The position which this Department has taken and which Congress has sanctioned is that it is a sound policy to have statutes of limitation, and that the policy upon which statutes are based must be adhered to notwithstanding hardship in particular cases.

The closing agreement is in the nature of a voluntary invocation of the statute of limitations.

Very truly yours,

OGDEN L. MILLS,
Secretary of the Treasury.

That is a report against this bill, for he says limitation has run against it, and while I do not usually follow Ogden Mills on matters political, I am following him now in backing up his recommendation respecting this claim.

Mr. ADAMS. I will admit that he is not a very good authority in this particular case. Permit me to call attention to the fact that this bill has passed the Senate and certainly is meritorious.

Mr. BLANTON. Practically all private bills pass in another body. My objection is based more on the general policy of establishing a principle than it is against the amount of the bill, for the amount is only \$11,172.15. It involves a big principle, however. When we once go behind the statute of limitations on a claim like this, what is the use of having a statute of limitation? If we waive the statute of limitation for one individual we must waive it for all American citizens. We must treat them all alike.

Mr. ADAMS. I may say to the gentleman that in this particular instance this tax was paid by the son, who at the time of paying the tax acquainted the revenue officer with the fact that, while the proceeds were turned over to him, the stock was registered in the name of his father; and at the time of paying he signed a waiver. The father was afterward taxed, and the father was assured that the amount paid by the son would be refunded.

Mr. BLANTON. I am sure that if our friend were not interested in this particular bill he would say it is a sound policy of government not to waive the statute of limitation; we must have a statute of limitation.

Mr. ADAMS. Will not the gentleman yield?

Mr. BLANTON. Certainly; but eventually I shall have to object in the end. This bill must not pass.

GEORGE B. BEAVER

The Clerk called the next bill, H.R. 3300, for the relief of George B. Beaver.

Mr. BLANCHARD. Mr. Speaker, reserving the right to object, just to clear the Record. A 4-year period is involved, and the postmaster is disallowed credit for payment, perhaps through ignorance of civil-service rules and requirements, but nevertheless payment over a 4-year period to two assistants. Am I correct when I say two assistants?

Mr. McREYNOLDS. One was a substitute clerk and one a substitute carrier.

Mr. BLANCHARD. I ask this specific question: Just how could a situation of this kind arise and continue over a period of 4 years? Does this grow out of the audit of a postmaster's account or is it just a disallowance of these payments?

Mr. McREYNOLDS. No. This was checked up by the Civil Service Commission. They claim that these men were not taken from the list, and I think the failure rose from the fact that the postmaster did not know about the list. He says he did not have a list. The office had been raised from the third class to the second class. The Government was not out one cent; it is just a question of putting on the right men.

Mr. BLANCHARD. Then it is not a question of reimbursing him for payments that he made?

Mr. McREYNOLDS. No; but the trouble is that without this bill this amount will be charged against him. The Comptroller has very kindly held this up for 2 years in order to permit me to get it straightened out.

Mr. BLANCHARD. I assumed that such must be the situation.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Postmaster General is authorized and directed to credit the account of George B. Beaver, postmaster at McMinnville, Tenn., with the sum of \$5,944.41, and to certify such credit to the Comptroller General of the United States. Such sum represents the amount paid by such postmaster during the period from September 16, 1927, to April 7, 1931, as compensation to two persons appointed by him as substitute postal clerk and substitute letter carrier, respectively, which amount was disallowed in his account because such persons were not taken from the civil service eligible list.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

JOHN MERRILL

The Clerk called the next bill, H.R. 3302, for the relief of John Merrill.

Mr. HANCOCK of New York. Mr. Speaker, reserving the right to object, this bill provides for payment of \$2,500 on account of a gunshot wound in the leg. Has the gentleman any idea how serious the injuries were?

Mr. McREYNOLDS. Yes; I have personal knowledge. I saw this man when I was over in his county not long since and he is very badly crippled.

Mr. HANCOCK of New York. Permanently injured?

Mr. McREYNOLDS. Yes.

Mr. HANCOCK of New York. If the gentleman will accept the usual amendment I have no objection.

Mr. McREYNOLDS. There is no one involved in this at all. It is a case where I was trying to render a service to a poor fellow who was absolutely disabled.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement against the Government, the sum of \$2,500 to John Merrill on account of gunshot wound received in left leg by a shot from a Federal prohibition enforcement officer, in the act of destroying a seized still, on July 19, 1930, in Polk County, Tenn., said Merrill being a deputy sheriff at the time and on a raid near Ocoee, Polk County, Tenn.

With the following committee amendment:

On page 2, line 2, after the word "Tennessee", insert the following: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

Mr. COCHRAN of Missouri. Mr. Speaker, I have asked for recognition in order to pay tribute to a friend, Arthur Rump, of St. Louis, who passed away Monday.

Mr. Rump was formerly an employee of the St. Louis post office. He was the leader of the post-office band and for years one of the outstanding athletes among the nearly 3,000 Government employees in my city.

While walking through the post office attending to his duties about 32 years ago a bundle of papers fell from an automatic carrier, striking him on the neck, causing paralysis. Later a bone disease of some kind set in that baffled the skill of leading physicians and surgeons all over the country. It was not long before he lost the use of hands and limbs and was required to remain in bed.

Mr. Rump wanted no sympathy nor financial assistance at that time; all he asked was an opportunity to carry on in his own way so that he could make a living for an invalid wife and his mother. He became a notary public accepting acknowledgments, he solicited subscriptions to magazines and newspapers over the telephone, and also wrote insurance. His case soon became one that attracted the attention of newspapers and magazines throughout the country. Known as the "champion optimist", he was an honorary member of the Optimist Club, of St. Louis, a national organization.

Mr. Rump was my personal friend. He did not reside in my district, but I never failed to pay him visits. I would enter his bedroom, say "Hello", ask him how he was, and the same reply was always forthcoming, "Never felt better in my life; sit down and let us have a chat." Over his bed were large signs, "Down but not out" and "Don't worry." He just would not let you sympathize with him.

Arthur Rump was the only man, so far as I have been able to learn, that the Congress of the United States recognized three times by passing private bills granting him relief.

About 10 years after the accident his friends petitioned Congress to extend relief to him. Bills were introduced and Congress allowed him \$2,500. Had Mr. Rump been injured while in the employ of a private corporation, any jury in the land, seeing his condition, would have awarded him \$25,000 or more.

When the Government employees petitioned Congress for the passage of a law that would provide benefits to them if injured in line of duty, Mr. Rump's case was cited as an example. He personally petitioned every Member of Congress to vote for the measure which created the Employees' Compensation Commission. After that law was passed, a bill was introduced which provided for the placing of his name on the roll. That bill became a law. Later when the Congress increased the amount allowed employees for total and permanent disability, a third bill was introduced after the Commission had ruled they could not recognize Mr. Rump for the increase. That bill also became a law. It was recognition justly deserved, for no one will ever know how he suffered all through those long years, night and day.

Picture, if you will, a man in bed, unable to move an inch one way or the other, deprived of the use of his arms and legs, with a telephone on a special attachment, calling his friends throughout the day and evening, not asking for help but just to say "Hello", and in the end say, "Don't forget me whenever you intend to subscribe to a paper or magazine." No business man in St. Louis, no matter how busy he might be, would refuse to answer the telephone when he was told that Arthur Rump was on the line.

His fellow postal workers never forgot him. Annually they would gather with the post-office band and his friends and celebrate his birthday. Rump always insisted on serving refreshments, some beverage and cake.

One of his best friends, August A. Busch, the brewer, preceded Mr. Rump to the grave a few weeks. Mr. Busch provided his old friend with a truck built specially so that his bed could be wheeled thereon, and Mr. Busch's chauffeur would drive the stricken man out in the country to spend the day. Never once would he go to the city but always to the country, the hills of the Ozarks he loved so well.

After the death of his mother and his wife, Mr. Rump was cared for by his faithful nurse, Miss Agnes Sheets. She never left him over a period of years. Miss Sheets also acted as his secretary, writing his letters on the typewriter.

In order that the House and the country will have an idea of the character of this man I am going to read a letter I received from him after the President's order reducing the compensation paid injured Government employees 15 percent went into effect last year. The letter follows:

ST. LOUIS, Mo., July 24, 1933.

Hon. JOHN J. COCHRAN,

United States Congress, Washington, D.C.

DEAR FRIEND JACK: I am enclosing herewith a letter from the United States Compensation Commission that I am at a loss to understand, for I entered no protest. If I had had any intention of making a protest, it would have come direct to you.

You will no doubt recall that in a letter a few months ago I mentioned the fact that I was more than willing to accept a reduction in accordance with the President's orders.

Despite the fact that my business has been ruined under present conditions, and, as you are aware, my total disability compels me to employ a constant attendant, I am still willing to do my part to assist President Roosevelt to carry out his program.

I am willing to accept the 15-percent decrease as per the President's wishes. I am in sympathy with his ideas to balance the Budget. It is no more than fair that I join with him to bring the country out of this condition. I am sure he will be able to do so. The people are with him.

With kindest regards, my faithful nurse, Miss Sheets, joins me.
Yours cheerfully,

ARTHUR E. RUMP.

The country has lost a patriotic citizen and the Government employees a real friend. If you knew him as I did, you could not help but mourn his loss as I do. I cherished his friendship. [Applause.]

The pro forma amendment was withdrawn.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. ABERNETHY. Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

VETERANS' LEGISLATION

Mr. ABERNETHY. Mr. Speaker: Many veterans in my congressional district are writing me asking for information as to just how they will be affected by the veterans' provisions contained in the independent offices appropriation act. I wish to present this analysis of just what benefits the veterans will receive from this legislation. The independent offices appropriation act not only carries additional benefits to veterans but it also carries the annual appropriations for the Veterans' Administration.

Gen. Frank T. Hines, Administrator of Veterans' Affairs, announces that the Veterans' Administration is taking immediate action to make the veterans' provisions of the independent offices appropriation act effective as soon as possible. Consideration will be first given to those veterans who were removed from the rolls by reason of the provisions of the Economy Act of March 20, 1933, whose rights to benefits are automatically reestablished by the new law. In all cases where it is possible to restore pension or compensation without the necessity of an administrative review such action is being taken.

Immediate attention is also being given to those groups of cases wherein a review of evidence will be required to determine what benefits may come from the new law. The adjudication of such cases is to be accomplished with the least possible delay.

According to the Veterans' Administration it is estimated that approximately 330,000 World War veterans, 180,600 Spanish War veterans, and 34,900 dependents will be affected by this legislation. It is further estimated that there will be paid out an additional amount to provide for these increased benefits to our disabled war veterans amounting to approximately \$83,000,000 annually.

Section 26 of the new law reinstated the former compensation rates for totally blind World War veterans, except where the veteran is being furnished hospital care by the Government and except as to cases involving fraud, mistake, or misrepresentation.

Section 27 provides for the payment of compensation to veterans who, on March 19, 1933, had established service connection under section 200 of the World War Veterans' Act of 1924, as amended, and reenacted the provisions of that section as to such cases, except where the veteran entered the service subsequent to November 11, 1918, where clear and unmistakable evidence discloses that the disease, injury, or disability had inception before or after the period of service, unless there was aggravation or where the prior service connection had been established by fraud, clear or unmistakable error, or misrepresentation, but as to all cases em-

braced by these three exceptions, all reasonable doubt is to be resolved in favor of the veteran and the burden of proof is to be upon the Government. Payment in such cases is to be 75 percent of the amount payable in such cases on March 19, 1933.

Section 28 provides for the restoration of the World War rates in effect on March 19, 1933, for service-connected disability, except that reduction is permitted in accordance with regulations pertaining to payment of pension to men in hospitals. It continues the rating schedule in effect on March 19, 1933, under which ratings are based as far as possible upon the average impairment of earning capacity in civil occupation similar to the occupation of the veteran at the time of his enlistment. It further provides for service connection in death cases for the widows and children of those veterans who died prior to the enactment of the new act and who, if living, would be able to reestablish service connection thereunder.

The limitations as to receipt of pension and salary by Government employees and as to the 50-percent reduction of benefits while any person entitled thereto resides outside the continental limits of the United States are not for application in these cases.

Section 29 amends section 6 of the Economy Act of March 20, 1933, as amended, by adding a provision authorizing hospitalization or domiciliary care within the limitations existing in Veterans' Administration facilities of any veteran of any war, not dishonorably discharged, who is suffering from disability, disease, or defect and who is in need of hospitalization or domiciliary care and is unable to defray the necessary expenses therefor, including transportation to and from the hospital. It provides that the statement under oath of the veteran as to his inability to pay for the service sought shall be accepted as sufficient.

Section 30 provides as to those veterans of the Spanish-American War who entered service on or before August 12, 1898, and persons who served in the Boxer Rebellion or the Philippine Insurrection who were on the rolls March 19, 1933, receiving pension for disability or age by virtue of the new law are entitled to receive not less than 75 percent of the pension being paid to them on March 19, 1933, subject to the limitation requiring exemption from Federal income tax and as to Federal employees, the limitation that not more than \$6 per month can be paid to such employee if his salary, if single, exceeds \$1,000, or if married, \$2,500. The provisions pertaining to payment of pension to men in hospitals, as established under Public, No. 2, and the veterans' regulations, are applicable to these cases. The benefits of this amendment do not extend to disabilities resulting from willful misconduct.

The limitations as to the 50-percent reduction of benefits while any person entitled thereto resides outside the continental limits of the United States is not for application in these cases.

Section 31 reestablishes the provisions of section 213 of the World War Veterans' Act, whereby a person who is injured as a result of training, hospitalization, or medical or surgical treatment or examination is awarded compensation on the same basis as if the condition were incurred in the military or naval service. Application must be made within 2 years after the injury or aggravation or death, or after the passage of the act, whichever is the later date.

Section 32 repeals that portion of section 9 of the Economy Act which barred persons in receipt of benefits from participating in any determination or decision with respect to claims for benefits.

Section 33 changes the title of payments to be made in service-connected cases of World War veterans from pension to compensation.

Section 34 provides that payments shall be effective from date of passage of the act.

Section 35 provides for the payment of those insurance claims which have been determined to be payable prior to but in which payment has not commenced on March 19, 1933.

This briefly covers the main points of the veterans' provisions of the new Independent Offices Appropriation Act as interpreted by the Veterans' Administration. Under the Economy Act last year more than 29,000 veterans were removed from the rolls on the grounds that their disabilities were not service-connected; yet, approximately 90 percent of these are tubercular cases. The passage of this legislation restores 75 percent of the former compensation in cases in which the benefits were reduced and brings back to good standing that class of cases designated as "presumptive."

Many veterans' cases have been handled by me during my service in Congress, and I have observed that there are many worthy cases which could not be successfully adjudicated because the veterans were unable to contact either their doctor who treated them during the time of the war or to contact their comrades who might have had some actual knowledge of their condition at that time.

As I just stated, under this new act the burden of proof rests upon the Government rather than the veteran, and this is most fair, because after all these years many veterans have lost the ability to prove their cases. Under the Economy Act more than \$486,000,000 had been taken away from the veterans and only \$117,000,000 had been restored to take care of special cases. This restoration, however, did not take care of the thousands of worthy cases which the veterans could not sustain through no fault of their own.

My vote for the full payment of the adjusted-service certificate in behalf of the veterans and my vote for the independent offices appropriation act are the only two occasions on which I have not voted with the present administration. While H.R. 1, providing for the full payment of the adjusted-service certificates, has not been made law, I am hopeful that it will be enacted into law at this session of Congress. I sincerely believe, however, if the bonus is paid in full, that, together with the veterans' provisions of the independent offices appropriation act, will do as much to fight the depression and bring back prosperity as any other legislation advanced by the recovery program.

I feel certain that the veterans of my district know that I have always been their consistent friend. My interest in their behalf did not start with the present session of Congress or in the last few months. I have tried to be sympathetic with their interests at all times. I am in receipt of a letter from Hon. John Thomas Taylor, vice chairman, national legislative committee of the American Legion. I also received a letter to the same effect from Hon. James E. Van Zandt, commander in chief, Veterans of Foreign Wars:

THE AMERICAN LEGION,
NATIONAL LEGISLATIVE COMMITTEE,
ROOM 625 BOND BUILDING,
Washington, D.C., March 30, 1934.

HON. CHARLES L. ABERNETHY,
House of Representatives, Washington, D.C.

MY DEAR CONGRESSMAN: May I take this opportunity to express to you, in clear and unmistakable language, our sincere appreciation of the action which you took on March 27, in voting to make certain that the amendments to the independent offices bill dealing with World War veterans were enacted into law.

In my opinion, this is the most important legislation that has ever come before the Congress, affecting as it did the very life of thousands of disabled World War veterans and the future welfare of their dependents.

Their care is now, and always has been, the chief concern of the American Legion, and it is for this reason that I want you to know, as I know, the deep sense of gratitude the veterans throughout the country have for what you did for them on March 27.

Very sincerely yours,

JOHN THOMAS TAYLOR,
Vice Chairman, National Legislative Committee.

VETERANS OF FOREIGN WARS OF THE UNITED STATES,
March 30, 1934.

Congressman CHARLES L. ABERNETHY,
House of Representatives, Washington, D.C.

MY DEAR CONGRESSMAN: I wish to convey to you the sincere thanks of the Veterans of Foreign Wars of the United States for your vote and support which resulted in the return of benefits to so many of our deserving war veterans.

We, of the Veterans of Foreign Wars, who have all served this Nation in actual war zones, are happy to recognize the significant part you played in the above-mentioned restoration. The grim

despair and deep sorrow which was written into the lives of so many of the Nation's defenders has been greatly lifted by your sincere consideration.

I am confident that you must feel a sense of gratification to know that thousands of unfortunate war veterans have been made happy in the knowledge that a grateful Nation will not forget their sacrifice in time of war.

Very sincerely,

JAMES E. VAN ZANDT,
Commander in Chief.

I am pleased that my action has met the approval of two of the great veterans' organizations, and I hope the veterans in my district will take the opportunity to write me, so that I may have their views on any legislation that affects them. This will be most helpful to me, as I will no doubt be called upon again to vote on measures of vital concern to them.

Mr. Speaker, while I have been absent from some of the sessions of the House, due to illness, I am pleased to inform the House and the people of my district that I have regained my health and strength and am now in a position to carry on my duties with old-time vigor.

Some are trying to make political capital out of the fact that I have been ill, greatly aggravated by the strenuous work with my heavy duties as a Member of this House. I am sure that this attempt to capitalize my illness, in an effort to build up their own political fortunes, will be condemned by the people of my district and that I will be returned to Congress again by an increased and overwhelming majority. [Applause.]

Mr. JOHNSON of Oklahoma. Will the gentleman yield for a question?

Mr. ABERNETHY. I yield to the gentleman from Oklahoma.

Mr. JOHNSON of Oklahoma. May I ask if the gentleman can give us some information as to when the provisions of the independent offices bill affecting veterans will be put into effect?

Mr. ABERNETHY. My understanding is it will be immediate. This is my understanding from the Veterans' Administration.

TREASURER OF THE STATE OF MISSISSIPPI

The Clerk called the next bill, H.R. 3345, to authorize the Department of Agriculture to issue a duplicate check in favor of the Mississippi State treasurer, the original check having been lost.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions of section 3646, as amended, of the Revised Statutes of the United States, the disbursing clerk of the Department of Agriculture is authorized and directed to issue, without the requirement of an indemnity bond, a duplicate of original check no. 534971, drawn April 3, 1929, in favor of the Mississippi State treasurer, for \$1,871.02, and lost, stolen, or miscarried in the mails.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

T. J. MORRISON

The Clerk called the next bill, H.R. 3551, for the relief of T. J. Morrison.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to T. J. Morrison, of Elizabethtown, Ky., the sum of \$210 for water actually supplied to the post office at Ravenna, Ky., during the period of 9 years and 5 months from November 27, 1922, until April 27, 1932.

With the following committee amendments:

Page 1, line 6, strike out "\$210" and insert in lieu thereof "\$195.41 in full settlement of all claims against the Government of the United States"; and on page 2, after the figures in line 1, insert the following: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating

the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

O. S. CORDON

The Clerk called the next bill, H.R. 3579, for the relief of O. S. Cordon.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to O. S. Cordon, postmaster at Rigby, Idaho, the sum of \$17.37 to reimburse him for the amount of postal funds lost as a result of the failure of the First National Bank of Rigby, Idaho.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PAUL BULFINCH

The Clerk called the next bill, H.R. 3580, for the relief of Paul Bulfinch.

Mr. HOPE. Mr. Speaker, reserving the right to object, I presume the author of the bill will have no objection to an amendment providing that this shall be in full settlement of all claims against the Government of the United States and also the usual attorneys' fee provision.

Mr. COFFIN. That is perfectly satisfactory, Mr. Speaker. There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Paul Bulfinch, postmaster at American Falls, Idaho, the sum of \$158.54 to reimburse him for the amount of postal funds lost by him as a result of the failure of the First National Bank of American Falls, Idaho, on February 8, 1923.

The Clerk read as follows:

Amendment offered by Mr. HOPE: After the figures in line 6, insert "in full settlement of all claims against the Government of the United States"; and at the end of line 9, insert the following: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANCES E. ELLER

The Clerk called the next bill, H.R. 3611, for the relief of Frances E. Eller.

Mr. HANCOCK of New York. Mr. Speaker, reserving the right to object, I notice that all that was ever asked by the claimant in her bill of particulars was \$422.50. Will the gentleman agree to reduce the amount to \$422.50?

Mr. GAVAGAN. Yes.

Mr. HANCOCK of New York. That amount embraces every item of damage asked for in this report, as I read it. I also presume the gentleman will have no objection to the usual attorneys' fee amendment?

Mr. GAVAGAN. I will accept both amendments.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frances E. Eller the sum of \$500. Such sum shall be in full satisfaction of all claims against the United States for damages resulting from an accident involving a United States mail truck.

The Clerk read the amendment offered by Mr. HANCOCK of New York, as follows:

Amendments offered by Mr. HANCOCK of New York: In line 5, strike out "\$500" and insert in lieu thereof "\$422.50"; and, at the end of line 8, insert the following: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLARA C. TALMADGE

The Clerk called the next bill on the calendar, H.R. 3614, for the relief of Clara C. Talmadge.

The SPEAKER pro tempore. Is there objection?

Mr. ZIONCHECK. Reserving the right to object, the party seeking relief has had herself transferred to the Civil Service Retirement Commission and is receiving \$121.72 a month. From what I can gather, she has been paid something like \$2,500 or \$4,900. I do not see why she wants a lump sum.

Mr. GAVAGAN. This woman is permanently injured. Her right leg is shortened 1¾ inches and badly deformed. She has a 10-percent disability in her left foot and suffers continuous pain in her hips and spine and is compelled to walk on crutches. The accident happened solely through the negligence of the Government. She has been for 8 long months in a hospital, and she has paid all these bills herself. She is permanently disabled and helpless.

Mr. HANCOCK of New York. Did not she receive the benefits of the Compensation Act?

Mr. GAVAGAN. No, sir; she did for a time, but they have been discontinued. This is in full settlement of all claims against the Government.

Mr. ZIONCHECK. She would receive compensation from the Civil Service Retirement Commission besides this settlement?

Mr. GAVAGAN. That is correct; but she has been contributing to that fund.

Mr. O'MALLEY. She has been contributing to that fund, and she would get that anyway.

Mr. GAVAGAN. Yes; she has an inherent right to that.

Mr. ZIONCHECK. Mr. Speaker, as far as I am concerned, I will not object.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, and in full settlement against the Government, the sum of \$5,000 to Clara C. Talmadge on account of injuries sustained on January 11, 1928, and while in the performance of her duties as a stenographer in the United States Customs Service at appraiser's warehouse building, 641 Washington Street, New York City, N.Y.

With the following committee amendment:

Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

Mr. TRUAX. Mr. Speaker, I move to strike out the last word.

Mr. Speaker and Members of the House, the bill we just passed appropriated \$5,000 without any provision being made to raise the revenue. There are 361 on the list today, and if all were passed it will appropriate \$1,842,396.95 out of the Treasury.

I think that the question of taxation is going to be the most serious one in this country, and it certainly is in my own State. In my State all public schools are going to need Federal aid soon if they are to remain open.

Last night the Ohio State Legislature defeated a bill proposed by the Governor to levy a 3-percent sales tax on the people of my State. It is the third time that the legislature has refused to enact a vicious, unfair sales tax, as advocated by Gov. George White. Our State has to raise \$72,000,000, and it was contemplated by the Governor that the sales tax would raise \$52,000,000. Schools will close because the Governor has his long arm of protection around the public utilities, big bankers, and loan sharks. The Governor refused to tax the public utilities. Like all the big bank racketeers, he wants to tax the common people instead of taxing the vested interests, and like all of the millionaire crowd, he chooses the sales tax as the proper vehicle to soak the poor and protect the rich.

Seventy percent of all of the commodities sold in this country are purchased by individuals with \$5,000 annual income or less. So you can readily perceive that 70 percent of the revenue derived from a sales tax would fall upon the backs of people with small incomes.

Statisticians in my State of Ohio state that today 80 percent of the State's income is received by only 10 percent of our people. In other words, 90 percent of Ohio's citizens are receiving only 10 percent of the wealth being created.

Yet Governor White, known as "Sales Tax George", wants to shift an additional burden of \$52,000,000 on the backs of this 90 percent of the people who are receiving only 10 percent of the income.

For years past I have fought the sales tax with every ounce of energy and effort at my command. I shall continue this fight, unrelenting and undaunted. In my campaign for the nomination for United States Senator, unalterable opposition to a sales tax in any form whatsoever will be one of the planks in my platform.

He refuses to tax the money in the banks, except a nominal sum of \$2 per thousand, which the banks gladly pay in order to get the deposits. He refuses to tax wealth. He refuses to place a tax on the corporations, and our State is in the position of having no revenue with which to keep open its public schools. A protest came in this morning from the town of Dennison, the home of my colleague, Mr. West, in which it was stated that the teachers there had been paid for only 5 weeks' salary out of this term of school. We have similar protests from many other towns in the State, all because we have a Governor who is protecting the public utilities, the big bankers, the 36-percent loan sharks. We could raise \$10,000,000 a year by taxing the 36-percent loan sharks 10 percent. They are charging their borrowers 36 percent, and we can raise \$20,000,000 a year by taxing the public utilities in my State. Yet this man, who represents all of these big interests and is the mouthpiece of them, wants to come to the United States Senate this year as the junior Senator from Ohio.

Mr. BLACK. Mr. Speaker, will the gentleman yield?

Mr. TRUAX. Yes.

Mr. BLACK. Who should come?

Mr. TRUAX. Modesty prevents my suggesting that the gentleman from Ohio who is now addressing the House would be the proper person.

Mr. CULKIN. Mr. Speaker, will the gentleman yield?

Mr. TRUAX. Yes.

Mr. CULKIN. Is this speech made for the information of the House or for home consumption, or to advance the gentleman's own candidacy?

Mr. TRUAX. I would say to the gentleman that it is for all three purposes. But, Mr. Speaker, when we are appropriating thousands of dollars every day, with no provision

made to finance them, it is time for us to pause and consider how it is going to be paid. When we passed the veterans' legislation we were criticized because we did not provide the revenues to finance what it would cost. It is my purpose to correct that by introducing a bill that will tax public utilities in this country enough to pay that \$228,000,000. Our present revenue bill just scratches the surface of taxation. In the case of incomes of \$500,000 and over, the surtax is raised only from 57 percent to 59 percent. I would make it 95 percent, at least. On all incomes of over \$100,000 a year I would tax them 95 percent on the excess, and I think we ought to cut that down to \$75,000, because certainly no man in this great country of ours is worth any more per year than is the President of the United States, Franklin D. Roosevelt, worth to the people of this great country of ours. We have not made any attempt to tax wealth, to tax the huge corporations as they should be taxed. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

Mr. BLACK. Mr. Speaker, I rise in opposition to whatever the gentleman was doing. It is unnecessary for me to inform the House why I did not raise the point of order against the gentleman's speech, which was entirely out of order. The reason ought to be obvious, that while I am really very fond of the gentleman, yet anything that I can do, so long as I have charge of the Private Calendar, to help him on his way to the Senate I should gladly do, even to the point of withholding points of order.

Mr. CULKIN. Does the gentleman think that helping the gentleman on his way to the Senate would help the Private Calendar any?

Mr. BLACK. Well, it might help the Senate some.

THELMA LUCY ROUNDS

The Clerk called the next bill, H.R. 3636, for the relief of Thelma Lucy Rounds.

The SPEAKER pro tempore. Is there objection?

Mr. ZIONCHECK. Mr. Speaker, I reserve the right to object. The person for whom relief is sought was in the armory of the ship, an unauthorized part of the ship for visitors, as I gather from the report, and was shot in the leg.

Mr. MARTIN of Massachusetts. Yes.

Mr. ZIONCHECK. While inspecting a pistol in the hands of some private?

Mr. MARTIN of Massachusetts. She was not inspecting the pistol. The lady was on the ship. It was visitors' day, and she was permitted to go over the ship. The sailor was showing her the ship and displayed a revolver which accidentally discharged, and a bullet went through her leg.

Mr. ZIONCHECK. Went through the calf of her leg?

Mr. MARTIN of Massachusetts. Yes.

Mr. ZIONCHECK. What is the nature of the permanent injury she suffers now?

Mr. MARTIN of Massachusetts. I could not tell you how she is at the present moment. She was in bad shape for a good many months after the accident and is clearly entitled to reimbursement. If the accident happened aboard a privately owned ship she would have been able to go to court and secure damages.

Mr. ZIONCHECK. In the matter of an injury like that, I think \$1,500 is about all she ought to have.

Mr. MARTIN of Massachusetts. Cannot the gentleman make it \$2,000?

Mr. ZIONCHECK. No; \$1,500; and I think that is \$500 more than it is worth. With that understanding, I shall not object.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500 to Thelma Lucy Rounds, Fall River, Mass., as full compensation for injuries received while visiting the U.S.S. *Bridge* at Newport, R.I., on July 12, 1931, when an enlisted man showing visitors a revolver fired a shot through Miss Round's leg, causing injuries which resulted in a long period of unemployment.

With the following committee amendments:

Page 1, line 6, strike out "as full compensation" and insert "in full settlement of all claims against the Government of the United States."

At the end of the bill insert: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The SPEAKER pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

Mr. ZIONCHECK. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. ZIONCHECK: Page 1, line 5, strike out "\$2,500" and insert in lieu thereof "\$1,500."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

JULIA E. SMITH

The Clerk called the next bill, H.R. 3705, for the relief of Julia E. Smith.

There being no objection, the Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,500 to Julia E. Smith.

With the following committee amendment:

Page 1, line 6, after the words "Julia E. Smith", insert "in full settlement of all claims against the United States because of personal injuries sustained by the said Julia E. Smith when struck and injured on or about October 13, 1925, in the city of Boston, Mass., by a motor truck owned and operated by the Post Office Department of the United States: *Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*"

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

CAPT. GUY M. KINMAN

The Clerk called the next bill, H.R. 3725, for the relief of Capt. Guy M. Kinman.

Mr. CRAVENS. Mr. Speaker, I ask unanimous consent to substitute for the House bill the Senate bill, S. 163.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Guy M. Kinman, captain, United States Army, Washington, D.C., the sum of \$1,582.70, in full satisfaction of his loss on account of damage by water to his household goods on August 18, 1931, while temporarily in authorized storage in a Government warehouse at Fort Myer, Va., in connection with authorized change of station.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

MARY ORINSKI

The Clerk called the next bill, H.R. 3748, for the relief of Mary Orinski.

Mr. ZIONCHECK. Reserving the right to object, will the author of the bill explain the bill, please?

Mr. SADOWSKI. Mr. Speaker, in this case Mary Orinski deposited two \$500 Liberty bonds as collateral for a bond executed by one Mr. Loch for the appearance of an alien in deportation proceedings at Detroit. This alien disappeared for awhile, but they located him. In the meantime the bonds had been turned over to the Treasury Department and could not be converted into cash again. The Treasury Department and the immigration authorities are all willing to give this money back to Mrs. Orinski, who put up the Liberty bonds for his appearance.

I might say that Mrs. Orinski, backed by Mr. Loch, the other surety, was responsible in again reaching this alien and delivering him over to the authorities. He was deported, sent to Europe, and is not here any longer. The Department of Labor has given a favorable report on this bill.

Mr. ZIONCHECK. Does the gentleman think this is a good bill?

Mr. SADOWSKI. I think so.

There being no objection, the Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000 to Mary Orinski, which sum was paid by the said Mary Orinski to the United States on the bond of Stefan Krync: *Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

HUNTER B. GLASSCOCK

The Clerk called the next bill, H.R. 3749, for the relief of Hunter B. Glasscock.

There being no objection, the Clerk read as follows:

Be it enacted, etc., That the Postmaster General is authorized and directed to credit the account of Hunter B. Glasscock, former postmaster at Springton, W.Va., in the sum of \$623.60. Such sum represents the amount due the United States on the final auditing of the account of the said Hunter B. Glasscock covering the period from his resignation on July 3, 1931, to December 10, 1931, both dates inclusive, during which period another person was in charge of the post office at Springton, W.Va. By reason of the failure of such person to file a bond he was not, under the postal laws and regulations, duly qualified as acting postmaster, and the said Hunter B. Glasscock is held responsible for the conduct of the post office during such period.

SEC. 2. The surety on the bond of the said Hunter B. Glasscock, as postmaster at Springton, W.Va., is hereby relieved of any liability on account of such shortage.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

ARABELLA E. BODKIN

The Clerk called the next bill, H.R. 3868, for the relief of Arabella E. Bodkin.

There being no objection the Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated to Arabella E. Bodkin, or her executors or administrators, the sum of \$28,000 in compliance with the findings of the Court of Claims in the case of Arabella E. Bodkin, sometimes named and referred to as "Mrs. Patrick H. Bodkin", against the United States; such findings having been made pursuant to the act of March 4, 1927 (ch. 517, 44 Stat.L., pt. III, 1845), entitled "An act conferring jurisdiction upon the Court of Claims to hear and determine the claim of Mrs. Patrick H. Bodkin." The payment provided for herein shall be in full settlement of all claims and demands arising out of the subject matter referred to in the findings of the Court of Claims.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

R. A. WILLIAMS

The Clerk called the next bill, H.R. 3936, for the relief of R. A. Williams.

Mr. HANCOCK of New York. Reserving the right to object, is the author of the bill present? It seems to me this is a very far-fetched claim. This rural mail carrier suffered from dysentery and arteriosclerosis. He has just seen the doctor recently about it. He claims that that is incident to his service as a rural mail carrier sometime between 1903 and 1917. It does strike me as a pretty far-fetched claim, and I will have to object unless someone can enlighten me.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HANCOCK of New York. Mr. Speaker, I object.

GRACE P. STARK

The Clerk called the next bill, H.R. 3952, for the relief of Grace P. Stark.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Grace P. Stark, of Marked Tree, Ark., the sum of \$161.58 as full reimbursement for loss by bankruptcy of the First National Bank at Marked Tree, Ark., of postal funds which she was required by the Post Office Department to replace.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That the Postmaster General is authorized and directed to credit the accounts of Grace P. Stark, postmaster at Marked Tree, Ark., in the sum of \$161.58. Such sum represents the amount of a deficit in the accounts of the said Grace P. Stark, caused by the loss of postal funds deposited in the First National Bank of Marked Tree, Ark., which failed November 15, 1926."

The committee amendment was agreed to.

PERMISSION TO ADDRESS THE HOUSE

Mr. MCGUGIN. Mr. Speaker, I ask unanimous consent that I may speak out of order and that my time may be extended 5 minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MCGUGIN. Mr. Speaker, in the inquiry being held by the select committee into the issues presented by Dr. Wirt there is a patent and obvious determined effort to suppress information and not to obtain information. From the introduction of the second Bulwinkle resolution and until now every turn has been one of suppression of truth rather than a presentation of truth.

This second Bulwinkle resolution which was adopted by the House unduly restricts and narrows the issues. In this respect, it is unlike all other resolutions enacted by the Congress authorizing an inquiry into a particular subject.

The appropriation of \$500 as expenses for this inquiry is upon its face an appropriation so low as to be for the purpose of starving the inquiry rather than supporting the inquiry. Within the past few weeks, the House has appropriated \$10,000 to investigate the Nazis and \$500 to inquire into what is being done in our own Government.

The first official act of the select committee was to adopt a rule of procedure for the first day's hearing. This rule of procedure is unlike any other rule of procedure ever prescribed for a congressional inquiry. This rule limited the inquiry to a few specific questions and answers from one witness. It denied to Dr. Wirt an opportunity to make an opening statement. When by this rule of procedure Dr. Wirt was denied an opportunity to make an opening statement, he was denied a right and a courtesy which has never been denied to the hundreds and thousands of other witnesses who have appeared before congressional committees. When Dr. Wirt appeared as a witness before the committee, there was with him as his counsel the Honorable James A. Reed, of Missouri.

As soon as Senator Reed opened his mouth he was informed by the chairman of the committee that Dr. Wirt would not be entitled to counsel. This conduct on the part

of the chairman was so out of keeping with the rights of witnesses appearing before such committees that the committee as a whole sitting before the country did not dare uphold the first ruling of the Chair. It modified this ruling and permitted Senator Reed to remain with Dr. Wirt as counsel, but it placed humiliating restrictions upon Senator Reed as counsel, which restrictions were an affront to the privilege of a counsel in any American judicial or quasi-judicial hearing.

The two minority members of this committee are being humiliatingly denied the rights and opportunities which should be given to minority members of a committee.

Mr. BLANTON. Mr. Speaker, will the gentleman from Kansas yield for a question?

Mr. MCGUGIN. No; I cannot yield.

Mr. BLANTON. Mr. Speaker, I think the gentleman should yield. He did not advise us of the subject on which he intended to speak.

Mr. MCGUGIN. I will yield when I conclude my statement.

Mr. BLANTON. I merely wanted to ask the gentleman whether or not he advised the gentleman from North Carolina [Mr. BULWINKLE] that he was going to make this attack on him.

Mr. MCGUGIN. No.

Mr. BLANTON. I think it was due him. I do not think the gentleman from Kansas should take this advantage of him in his absence.

Mr. MCGUGIN. Mr. Speaker, I yield no further. Mr. BULWINKLE is welcome to come upon the floor and hear these remarks.

Mr. BLANTON. The gentleman from North Carolina [Mr. BULWINKLE] is now here; he can take care of himself, which obviates my making a point of order.

Mr. MCGUGIN. We are denied any right to call witnesses.

Mr. O'MALLEY. Mr. Speaker, will the gentleman yield?

Mr. MCGUGIN. I cannot yield.

We are denied any right to call witnesses upon our own responsibility. Furthermore, when we ask the committee as a whole to subpoena witnesses we are told that this committee will have to think about that later. Then when we offer a motion to call a specific witness for a given time, we are voted down, 3 to 2.

Until the two minority members of this committee have the right and the privilege to have subpoenaed before this committee any and all witnesses whom they may ask for, this inquiry will remain a shameful spectacle of the administration of American justice. What kind of proceedings would it be in a court if only one side were permitted to call witnesses for examination? What would have been the history of and the result of former congressional hearings if minority members had been denied the right to call witnesses before the committee for investigation?

Let us take the Teapot Dome investigation. What would it have amounted to if the late Senator Walsh of Montana, a minority member, had been permitted to call before the committee for examination only such witnesses as the majority members would permit? Senator Walsh was not only permitted to call whomsoever he pleased, but in addition to that he was given sufficient expense money to go to various parts of the country and to compel, under oath, the men to give such information as they possessed. That program constituted an honest, sincere effort to ascertain the truth. It was only from such a procedure that the truth was obtained. In the present instance, a directly opposite procedure is being followed.

There was some dishonest public conduct in former Republican administrations but I call upon anyone to point to the instance when any official conduct was being investigated that the Republican majority denied to the Democratic minority the opportunity to call before an open hearing any and all witnesses for examination, whom the minority had chosen to call. Yes, we have had some dishonest conduct on the part of some officers in our former Republican administrations but a Republican majority has never notoriously and brazenly taken the responsibility of endeavoring to con-

done and protect the dishonesty by denying to minority Members the right to bring before congressional hearings any and all witnesses they chose to call.

This committee cannot continue with its present procedure of gagging this investigation and tying the hands of the minority Members without the Democratic majority in this House standing before the country as being responsible for a suppression of the truth. There is only one construction which an intelligent American public can place upon such conduct and that is that the majority is not only afraid to have the truth presented to the people but that it has the hardihood brazenly to suppress the truth. I do not think that the majority of the individual Democratic Members in this House are in sympathy with such conduct, however, if this committee is to continue to carry out these policies it can only do so because its conduct is being permitted and condoned by the majority party which is in control of the House of Representatives.

Up to date this committee is being dominated by the gentleman from New York [Mr. O'CONNOR]. He is the gentleman who presented and sponsored the gag rule of procedure which has limited the inquiry of this committee to Dr. Wirt and to such people as he may name and as the committee is willing to permit to be called for examination.

Yesterday the committee met. The two minority members requested that every person named by Dr. Wirt be called for an examination before the committee. These names included Rexford G. Tugwell, the Assistant Secretary of Agriculture; Frederick Howe, Consumers' Counsel in the A.A.A.; General Westervelt, former official in the Agricultural Department; and Secretary Wallace.

[Here the gavel fell.]

Mr. MCGUGIN. Mr. Speaker, my time has not expired; I had 10 minutes altogether.

Mr. BLACK. The request was for 10 minutes, Mr. Speaker.

The SPEAKER pro tempore. The Chair did not put such a request. The Chair did not so understand the request of the gentleman.

Mr. MCGUGIN. Mr. Speaker, I asked unanimous consent to speak out of order, and that I be permitted to speak for 5 additional minutes.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas be permitted to proceed for 5 additional minutes, and following him that the gentleman from North Carolina [Mr. BULWINKLE] be permitted to proceed for 10 minutes, to afford him an opportunity to reply.

Mr. O'MALLEY. Mr. Speaker, reserving the right to object, I have endeavored to ask the gentleman from Kansas a question, but he does not care to yield. I am perfectly willing that the gentleman from Kansas be allowed to talk if he will yield for some questions.

Mr. MCGUGIN. I shall yield for questions after I conclude my remarks, but certainly the gentleman will permit me to finish my remarks.

Mr. McFADDEN. Mr. Speaker, reserving the right to object, the gentleman asked for an additional 5 minutes. Is it to be granted or not?

Mr. BLANTON. But in connection with that I asked unanimous consent that the gentleman from North Carolina [Mr. BULWINKLE] be allowed to proceed for 10 minutes, so that they may have equal time.

Mr. McFADDEN. But prior to that, before the gentleman from Kansas began to speak, he asked that his time be extended 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas that the time of the gentleman from Kansas be extended 5 minutes and that the gentleman from North Carolina be given the same amount of time at the termination of the remarks of the gentleman from Kansas?

There was no objection.

Mr. MCGUGIN. The three majority members informed us that the only ones who will be subpoenaed would be the six people who had attended a dinner party in Virginia. When the motion was presented to subpoena these six people

I offered an amendment to the motion to include a subpoena for General Westervelt. It was voted down by the three majority members.

General Westervelt was quoted by Dr. Wirt as having said that Frederick Howe, Consumers' Counsel in the A.A.A., told him, General Westervelt, that their program is being thwarted because too many people are being fed. There is only one interpretation to be placed upon that statement and that is that Mr. Howe's program is completely to destroy our present economic and social structure and that can only be done when the people are hungry.

Such a statement is disloyalty to recovery as is advocated by the administration and as the people of the country understand recovery. Yet the majority members of this committee deny the request of the minority members to bring before the committee General Westervelt, who is the man who can establish the truth or falsity of this statement on the part of Mr. Howe, a high and responsible official of the A.A.A.

The truth is that the political philosophy of the gentleman from New York, who is dominating this committee, is the political philosophy of Tammany. Of course, Tammany is committed to the proposition that the way to run government is to run it rough shod and to suppress all opposition. Tammany from cruel experience has learned that it is sometimes costly for a party in power to permit a sincere and serious investigation of public conduct. It has learned this on more than one occasion. The last occasion was the Seabury investigation. What would the Seabury investigation had been if Mr. Seabury had not had the right to call any witness whom he chose to call, and if Tammany could have dictated the names of witnesses to be subpoenaed?

Mr. BLACK. Mr. Speaker, will the gentleman yield?

Mr. MCGUGIN. I yield.

Mr. BLACK. The gentleman evidently does not know that Mr. Seabury did the same thing to the Tammany members of the minority that is happening to the gentleman today. It always happens to minorities of committees. I served as a minority member on a committee with Mr. Lehlbach in 1928 and wanted Bishop Cannon subpoenaed for the very thing for which he is now on trial, but they would not subpoena him for me; they turned me down on every application.

Mr. MCGUGIN. They should not have done it.

Mr. HANCOCK of New York. Did the gentleman approve of that?

Mr. BLACK. Not then.

Mr. MCGUGIN. Dr. Wirt quoted a statement from Professor Tugwell as follows:

It is, in other words, a logical impossibility to have a planned economy and to have business operating its industries, just as it is also impossible to have one within our present constitutional and statutory structure. Modifications in both, so serious as to mean destruction and rebeginning, are required.

I want Professor Tugwell called before this committee. I want to know if in the administering of his official duties he is proceeding upon the theory that in inaugurating the present planned economy that it is a logical impossibility to have this planned economy with business operating its own industries, and likewise if it is a logical impossibility to have the planned economy under our present constitutional and statutory structure. I want to know in the carrying out of his present official duties if he is proceeding upon the theory that we must have modifications so serious in both our business structure and our constitutional and statutory structure as to mean destruction and rebeginning.

Dr. Wirt quoted Professor Tugwell as follows:

The next series of changes will have to do with industry itself. It has already been suggested that business will logically be required to disappear. This is not an overstatement for the sake of emphasis; it is literally meant.

I want to know from Professor Tugwell if in his administering the agriculture act he is doing so in the light of this statement when he said that business will logically be required to disappear and that he made the statement not as an overstatement for the sake of emphasis but that it was literally meant.

I want to call the three directors of the Tennessee Valley Authority before this committee to ascertain by what authority of law they are setting up subsidiary corporations which are authorized to engage in the business of farming, selling and distributing farm products, manufacturing and selling goods and wares of every description, to lend money to any person, firm, or corporation with or without collateral, to borrow money and issue evidences of indebtedness without limit as to amount, and also to deal in and purchase stocks or other securities of any person, firm, associations, or corporation.

These directors of the T.V.A. have organized two of these subsidiary corporations. In one of them, Harry Hopkins, from emergency relief funds, is reported to have purchased stock. Harold Ickes, Public Works Administrator, is reported to have taken a million dollars of public-works funds to purchase the stock in the other subsidiary corporation. I want Mr. Hopkins and Mr. Ickes called before this committee to tell the committee and the country by what authority of law they are taking Public Works funds and purchasing the stocks of corporations, which corporations are authorized to engage in the business of farming, processing, and selling farm products and livestock, to engage in the business of manufacturing and selling goods and wares of every description, to lend money or endorse the obligations of individuals, firms, and corporations with or without collateral security, also to borrow money and issue evidences of indebtedness without limit as to amount and also to deal in and purchase the stocks and bonds of any corporation.

If it develops that there is no authority in law for the organizing of these two subsidiary corporations and for the using of Public Works funds for the purpose of purchasing stock in such corporations, then it stands that here are five men in the executive department of the Government who are operating without regard to the statutory and constitutional structure of the Government of the Republic under the Constitution.

If it is so established, then the issues presented by Dr. Wirt are proved, namely, that there are those in control of the executive department of the Government who are proceeding in a manner which amounts to an overthrow of the Republic under the Constitution, obviously not an overthrow by violence but an overthrow by a complete disregard for the laws and the Constitution of the Republic.

[Here the gavel fell.]

Mr. MILLARD. Mr. Speaker, I ask unanimous consent that the gentleman be allowed to finish his remarks.

Mr. McGUGIN. One minute will be all the time I need.

Mr. MILLARD. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended 1 minute.

The SPEAKER pro tempore. Without objection, the gentleman's time will be extended for 1 minute.

There was no objection.

Mr. McGUGIN. This hearing will not be an open, fair American proceeding of which the American people may look upon with pride until the minority Members are permitted to call before the committee any and all witnesses they choose to call, and until the Honorable James A. Reed, as counsel for Dr. Wirt, is permitted to exercise all the rights and privileges of counsel in such proceedings. The rights of counsel in an American sense mean that Senator Reed as counsel for Dr. Wirt will have the right to cross-examine in open hearing any witness who appears before the committee to refute any statement made by Dr. Wirt.

Mr. O'MALLEY. Mr. Speaker, will the gentleman yield?

Mr. McGUGIN. Certainly.

Mr. O'MALLEY. The gentleman wants to subpoena everybody but the President of the United States in his inquiry; why not include the President?

Mr. McGUGIN. If we were shown some reason why he should be subpoenaed, I would have no objection to the President being subpoenaed.

Mr. O'MALLEY. The gentleman is trying to turn this investigation into a pow-wow for Republican campaign purposes, and it is a perfectly ridiculous effort.

[Here the gavel fell.]

The SPEAKER pro tempore. The gentleman from North Carolina [Mr. BULWINKLE] is recognized for 11 minutes.

Mr. BULWINKLE. Mr. Speaker, I, with others possibly, cannot understand the procedure that we have witnessed just now. I know that it is not proper for a member of a committee of this House, before a decision is made, for the purpose of publicity and publicity only, to make a statement on the floor with reference to the proceedings of the committee. The rules of common decency require that the gentleman and I, and every man in this House serving on a committee, wait until the decision of the committee has been rendered before we criticize its conduct.

Wrong? Why, of course, the gentleman is wrong, as I stated yesterday, and the gentleman is usually wrong. The committee did not say yesterday that they would not call General Westervelt.

Mr. McGUGIN. Did not the committee vote down my request for General Westervelt to be subpoenaed?

Mr. BULWINKLE. No. They said for the first hearing they would have these six. That is what they said. Oh, I know that the gentleman is sore because he thought Dr. Wirt was going to say something for him to work on. Dr. Wirt was a flop, just like some of the remarks that the gentleman from Kansas makes. It amounts to nothing else; just that. Why, the gentleman himself as a Member of this House on Saturday, March 24, made a statement, and I tell you that the committee has followed what the gentleman suggested to the letter.

Mr. McGUGIN. Will the gentleman yield?

Mr. BULWINKLE. Not now. I quote:

If the gentleman will keep quiet, that is what I am coming to. That is a strong statement that has come to the attention of the committee of this House—

The statement about Roosevelt being a Kerensky—

and I say that the obligation is on the committee to bring Dr. Wirt before the committee and under oath make him tell who the man is that made the statement to him.

The gentleman knows or should have known that yesterday the chairman allowed and permitted Dr. Wirt to go on with his statement about General Westervelt, and that what General Westervelt said happened after the publication even of the Rand statement.

Mr. McGUGIN. Will the gentleman yield?

Mr. BULWINKLE. I yield to the gentleman from Kansas.

Mr. McGUGIN. The speech the gentleman is talking about was made before even this committee was being considered. The committee I was talking about there was the Committee on Interstate and Foreign Commerce and obviously that committee could not go any further than Dr. Wirt, but now that we have a select committee, which is investigating the matter, they should go into it fully.

Mr. BULWINKLE. I cannot help it if the gentleman now tries to crawl out of his statement.

Mr. McGUGIN. Will the gentleman quote my other speeches?

Mr. BULWINKLE. I cannot quote them all. They run from one extreme to the other. Again quoting the speech of the gentleman—

The President of the United States, the Congress, and the people of this country have a right to know whether Dr. Wirt told the truth.

Is that not what the gentleman wants to find out?

Mr. McGUGIN. Certainly.

Mr. BULWINKLE. That is what the gentleman said.

Mr. McGUGIN. I want all witnesses called.

Mr. BYRNS. Why is it necessary to have present one of the most-distinguished lawyers in the whole of the United States in order to tell the truth before this committee, which is simply conducting an inquiry as to the source of this information?

Mr. BULWINKLE. The gentleman from Kansas knows we are not prosecuting or persecuting Dr. Wirt, not in the least. He was not here to be investigated. If he had been, I would have gone into his private character. If he had been, I would have brought out from him the fact that during the war, whether or not on account of his pro-

German activities, he was confined in the jail at Gary, Ind. I did not bring any of that before the committee. There was not the least bit of persecution of Dr. Wirt. The investigation was just simply to find out who it was in the Government that made certain statements shown in the Rand testimony. I cannot help it if the gentleman did not get out of Dr. Wirt what he expected to get. I know the gentleman is disappointed. I could see it all day yesterday that the gentleman was disappointed because he thought he was going to get some great hullabaloo that he could go before the people of this country with, and he could not say a thing after it happened.

Mr. O'MALLEY. Will the gentleman yield?

Mr. BULWINKLE. I yield to the gentleman from Wisconsin.

Mr. O'MALLEY. Probably the gentleman and some Members on his side, as a result of the returns in Illinois yesterday, are even more panicky for a campaign issue than before they got hold of Dr. Wirt.

Mr. BLANTON. I want to advise the gentleman from North Carolina that before he came from the cloakroom to the floor the gentleman from Kansas prefaced his remarks with the statement that every move the chairman of this committee made had been to suppress the truth. He should make proper reply to that charge.

Mr. MCGUGIN. No. I will tell the gentleman exactly what I said. I said that every move that had been made since this committee was organized was to suppress the truth. I did not single out the chairman.

Mr. BULWINKLE. Suppress the truth?

Mr. MCGUGIN. Yes.

Mr. BULWINKLE. We are bringing before the gentleman next week 5 of the Government employees and 1 news reporter mentioned by Dr. Wirt.

Mr. MCGUGIN. Will the gentleman bring General Westervelt?

Mr. BULWINKLE. Is General Westervelt a Government employee?

Mr. MCGUGIN. Will the gentleman bring him before us, or any other person that Dr. Wirt mentioned?

Mr. BULWINKLE. Can the gentleman not read what Professor Tugwell said? We had the man before us yesterday that the gentleman thought he was going to get so much out of, and he did not get a thing. All he could do was to give some quotations from Professor Tugwell or Dr. Tugwell, whoever he is.

Mr. CONNERY. Will the gentleman yield?

Mr. BULWINKLE. I yield to the gentleman from Massachusetts.

Mr. CONNERY. Is this not a way to get at the administration because they are enforcing the N.R.A. and giving labor of the United States a break? Dr. Wirt comes from Gary, which is controlled, body and soul, by the United States Steel Corporation.

Mr. BULWINKLE. I do not like to say anything on this floor that I do not know exactly. I do know, however, that some of the Republicans thought that having statements like Rand's in the record would be a wonderful thing to use this fall in the elections, and they are disappointed because it is going to be an absolute flop.

Mr. COOPER of Ohio. Will the gentleman yield?

Mr. BULWINKLE. I yield to the gentleman from Ohio.

Mr. COOPER of Ohio. I may say to the gentleman that I was one of the members of the Committee on Interstate and Foreign Commerce that tried to stop Mr. Rand from reading that letter in the record, but the Democratic membership of the committee seemed very anxious to have it in there, so that they could probably call this investigation.

Mr. BULWINKLE. I am speaking of the time after they got it in there. I refer to some of the gentlemen on the gentleman's side.

Mr. COOPER of Ohio. There were not any of the Republicans that wanted the letter in the record.

Mr. BULWINKLE. I am not talking about that committee. The gentleman did not know what was in the

letter. That had been sent out before, and you did not know about the matter.

Mr. COOPER of Ohio. We heard enough.

Mr. BULWINKLE. Take the gentleman from Kansas [Mr. MCGUGIN]; he would like to have used that this fall.

Mr. MCGUGIN. I am not a member of the Interstate and Foreign Commerce Committee. I am only a member of this select committee.

Mr. BULWINKLE. I know it. I said the gentleman would like to have had it in there.

Mr. DURGAN of Indiana. Will the gentleman yield?

Mr. BULWINKLE. I yield to the gentleman from Indiana.

Mr. DURGAN of Indiana. Did the evidence really disclose that Dr. Wirt was from Indiana?

Mr. BULWINKLE. Yes; from Gary, Ind.

Mr. DURGAN of Indiana. Did it disclose that he was a native of Indiana?

Mr. BULWINKLE. No.

Mr. DURGAN of Indiana. I thank the gentleman very much.

Mr. BLANTON. If the gentleman will yield, how can the chairman reconcile the difference that apparently exists between our friend from Ohio [Mr. COOPER] and our friend from Kansas [Mr. MCGUGIN]? There seems to be a domestic difference in the party ranks among the brethren over there.

Mr. BULWINKLE. I will tell the gentleman the difference.

Mr. COOPER of Ohio. The gentleman from Texas [Mr. BLANTON] is not speaking for me.

Mr. BULWINKLE. I decline to yield further now, Mr. Speaker.

I am not speaking for the gentleman from Ohio, because the gentleman did not see the political significance of this when it was walking down the road, but the gentleman from Kansas did. That is the difference between them.

The gentleman from Kansas, of course, is sore about it—absolutely sore—because he would have gone out this fall and would have talked about the terrible things these Democrats are doing. Now, when the gentleman goes out he will have to say that there were two great discoverers in this century—one, Dr. Cook, who discovered the North Pole; and the other, Dr. Wirt, who discovered the Communists in the Government service. [Laughter and applause.]

Mr. Speaker, I yield back the balance of my time.

GRACE P. STARK

Mr. BLACK. Mr. Speaker, I rise in opposition to the motion that was made by the gentleman from Kansas, and which is still pending, to strike out the last word.

Mr. Speaker, I am here to defend the last word. I think we should have the last word on this committee and on this investigation. I never thought the hearing should have been held, but I do not want any misunderstanding about the conduct of the legislative committee to go out to the country by the gentleman from Kansas. I have served on legislative committees, and I know just what minority representation means on any legislative committee. I have squawked just as loudly as the gentleman from Kansas [Mr. MCGUGIN] has squawked today about a denial of rights, and I looked just as indignant and I was just as furious, apparently, as the gentleman is. It did not mean anything.

No witness before any legislative committee at any time has ever had the right to have counsel. No witness in any court, under any conditions, has ever a right to have counsel, and any lawyer knows this. So there is no point to be made of that at all.

Now, as to the general proposition of the Democrats not giving them the right to call witnesses: I served on a committee in 1928, and I tried to get the committee to meet before the press. It was purely grand stand on my part, just as the gentleman is performing today—a little spring practice for the fans. I tried to get them to perform before the press; but no, Mr. LEHLBACH—

Mr. MCFADDEN. Will the gentleman yield?

Mr. BLACK. I cannot yield now—I am doing too well. [Laughter.]

But Mr. LEHLBACH took me into his sanctified chamber back here in the Capitol, where he has a nice fireplace, and I thought they were going to apply the rack and thumb-screws to me. They voted down my motion to call Bishop Cannon and several gentlemen connected with organizations opposed to Smith. I was doing this for campaign purposes. I was using the committee for campaign purposes. I did not say so then—I say so now—the statute has expired. [Laughter.] I was doing just as the gentleman from Kansas [Mr. McGugin] is doing today, but Mr. LEHLBACH, as czaristically as possible, made me a revolutionist, a Red, for the time being, and voted down everything I wanted done about calling witnesses. We went down into Texas, and I tried to have witnesses called there.

And, by the way, I nearly got caught. There was one witness on the stand who said, "A national organization is operating in this district", and right away I thought I was going to bring the Klan into the picture. There I was, a little New York man down in Texas, and I was going to challenge the Klan on its home grounds, and I said to this witness, "Was it the Ku-Klux Klan?" and LEHLBACH banged the table and said, "You can not ask that question." It was a perfectly legitimate question, so I asked it again, and they took a vote and the committee voted it down. So I went to the witness afterward and asked him what would have been his answer, and he told me it was the American Legion. [Laughter.] I was saved by Mr. LEHLBACH and was grateful to him.

Now, do not get excited. There is nothing in this investigation. It is not important to us whether there is anybody connected with the administration who is tainted with communism. What we should be disturbed about is what is happening in the minds of the people. Are the people in a state of mind tending toward revolt? If they are, it is our fault. This is what we ought to be thinking about and not what some economist or some writer on economic subjects connected with the administration is thinking about—but what are the people thinking about.

So far as I am concerned, I am no Presidential spokesman, but I can say this for the "brain trust": They have brains. They got on the pay roll when politicians could not. [Laughter and applause.]

Mr. TRUAX. Mr. Speaker, I rise in opposition to the pro forma amendment of the gentleman from New York. Mr. Speaker, I have a statement here from a gentleman in my State, who asserts that:

This man Wirt, Professor Wirt to you, who has been raising all the hell with our Democratic administration, is a bought and paid for creature of the Steel Trust and his recent exposure of the Democratic Party is a last desperate effort of this unpatriotic outfit to defeat the wage policy of the N.R.A. and the recovery program as a whole.

I was in Gary when I was old enough to cast my first vote and Professor Wirt was responsible for my vote going to Eugene V. Debs.

The reason?

Gary was and is a city built in a region of sand dunes so poor that nothing but a steel trust could exist on the spot. The site of the city then was a plot of sand 10 miles square. The trust bought all of this with the exception of a small bit afterward called the "patch" which the owner refused to sell and which afterward became the hell hole of the Chicago district.

I suppose that legal procedure was followed in the erection of the schools, but there might be some doubt of this. At least construction on the schools kept pace with construction of the mills and the concrete apartment houses for the Gary steel workers.

These schools have been widely copied in spite of the fact that their educational features are practically nonexistent, but have been replaced by a trade-school system designed to furnish a surplus of semiskilled labor for the masters of the infamous Professor Wirt.

The male graduates of Professor Wirt's schools cannot spell, read, write, or express themselves intelligently, but all are somewhat familiar with various trades to the extent that craftsmen in these trades in the Gary mills receive less than the prevailing wage in these trades and there is always a surplus of labor in the trades taught in the Gary schools. These facts can be established by your investigating committee by correspondence with the Central Labor Councils of Gary, Hammond, and Chicago.

Your committee would also find that the male graduates of the Gary schools are not as well educated, in the ordinary sense, as

10- or 11-year-old children who attended the country schools of Pennsylvania. That is, if the Gary graduates were picked at random and the more intelligent of the Pennsylvania children were chosen.

Professor Wirt has graduated numerous boys who can lay bricks, repair machinery, do iron or steel molding, and bits of other trades, but who are entirely unfamiliar with English, history, arithmetic, or other studies that Members of Congress would consider fundamental in the education of a child.

Anything that I can say as to the lack of educational facilities in the Wirt schools would not serve to paint the picture as bad as it actually is or would be in the eyes of the members of your body.

Professor Wirt's sole purpose in life has been to educate the youth in his charge so that they knew just enough to be loyal employees of the Steel Trust.

Now it happens that the employees of the Gary mills have taken advantage of section 7a of the Recovery Act and are organizing. This, in the estimation of Professor Wirt, is a combination of lese majesty, treason, and a few lesser crimes.

I ask Members of Congress, Who raised the money, who will produce the money, to finance Dr. Wirt in his campaign of slander and vilification of President Roosevelt and the new deal? Why does he need any defense if the charges are true and if he is not, as alleged, simply the mouthpiece of the Steel Trust, that gigantic institution that has bled the American people of millions?

Mr. CONNERY. Will the gentleman yield?

Mr. TRUAX. I yield.

Mr. CONNERY. I have an impression, and I think the gentleman has, too—I do not mean the committee that has been appointed for the purpose of an investigation—that the whole idea is to get Dr. Wirt before the committee and then try to give out to the country that the tendency of the Democratic administration is towards communism and socialism, and to discredit its efforts to give labor a break.

Mr. TRUAX. The gentleman is correct. Continuing with the letter:

Professor Wirt has the entire resources of the Steel Trust behind him in his effort to smash the Democratic program. If called to Washington to testify before your committee he will furnish more manufactured evidence than the Steel Trust can manufacture steel.

Now, gentlemen of this Congress, this man, Professor Wirt, has charged the distinguished Speaker of this House with being a radical, with fostering the principles of communism, with fostering the idea of the State taking over private industry. I want to say that the distinguished Speaker has been one of the most progressive men we ever had in this country. Away back in 1922, when we held a big Jackson Day rally in Marion, Ohio, when Warren Harding was President, we could find only one Democrat in this House or the other body who had courage enough to come out and uphold the principles of democracy, and that was your illustrious Speaker. [Applause.] It was then that he first exposed the machinations of Secretary of the Treasury Mellon. He told us about Mellon's ownership of the Aluminum Trust Co., and he told us about refunds that were being made by millions and which have had much to do with bringing on the depression that we have had.

I say to you without fear of successful contradiction that the whole Wirt testimony is merely a frame-up and an attempt to discredit the Roosevelt administration and the new deal. [Applause.]

Mr. O'MALLEY. Mr. Speaker, will the gentleman yield?

Mr. TRUAX. Yes.

Mr. O'MALLEY. As positive proof that this whole Wirt propaganda was built up by big business, the fact is that the reactionary capitalistic-controlled press has given 10 times as much space to Dr. Wirt and his charges as have the independent press, sympathetic with the Democratic administration.

Mr. TRUAX. That is true.

Mr. COOPER of Ohio. Mr. Speaker, will the gentleman yield?

Mr. TRUAX. Yes.

Mr. COOPER of Ohio. My colleague from Ohio decried the calling of this investigation, and he says that it was a frame-up. I ask the gentleman, Who started the investigation, who introduced the resolution in Congress for the

investigation? It was not a Republican, but it was a Democrat.

Mr. TRUAX. I would say to my colleague from Ohio that I am not accusing the Republican Members of Congress nor the Republican Party. I am accusing the United States Steel Corporation, owned by Morgan & Co., and I am sorry that certain Members on the gentleman's side have seized upon this opportunity to obtain campaign material for some hopeless causes this fall.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. COOPER of Ohio. I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. COOPER of Ohio. Mr. Speaker, if I had my own way about it, the investigation of Dr. Wirt would not have been called by Congress. When the letter of Dr. Wirt was read before the Committee on Interstate and Foreign Commerce, of which I am a member, I tried to stop it from going into the record. It has been intimated here today that the Republicans insisted on calling this investigation. I deny that. The resolution for the investigation was introduced by a prominent Democratic member of the Interstate and Foreign Commerce Committee, and I am getting sick and tired of trying to mix this matter into partisan politics every day on the floor of the House when we should be devoting ourselves to things more worth while and working for those principles which we believe will be for the best interest of our country instead of playing politics. [Applause.] For more than 3 years our people have stood with backs to the wall fighting economic depression. I wish we, the Members of Congress, would forget partisan politics at this time and try and direct our efforts to legislation which will be of some benefit to our country and its citizens. [Applause.]

Mr. O'MALLEY. Mr. Speaker, I ask unanimous consent to proceed for 2 minutes.

The SPEAKER. Is there objection?

Mr. BLANCHARD. Mr. Speaker, I reserve the right to object. When these 2 minutes are concluded, if any other further requests are made to speak, I shall object.

The SPEAKER. Is there objection?

There was no objection.

Mr. O'MALLEY. Mr. Speaker, I feel a good deal like the gentleman from Ohio [Mr. COOPER]. Every day and every minute of time that we devote to Dr. Wirt costs the American taxpayers a lot of money. My private impression was that this investigation should never have been held, because it was cheap partisan politics, and the only object it seems to have had is to make a comic opera campaign issue for Members on both sides of the House, to discuss for hours and hours at great expense to the taxpayers. Every day this Congress runs costs the taxpayers a lot of money. Every minute we use, either in committee hearings or in session in the House, costs the taxpayers scores of dollars, when the bill is finally rendered to them. Personally I have not taken up much time on the floor of this House for any partisan speeches, and from now on I am impelled to object to unanimous-consent requests to discuss Dr. Wirt, that nervous little fellow from Gary, Ind., who does not yet realize that when we had an election in 1932 we did have a revolution, which the people were in favor of. That bloodless revolution against organized greed and exploitation is going on right now with the help of the Democratic administration, and it is returning this country to where it should have been if the Republican Party had given the people the same kind of a planned program for recovery that the Democratic administration has done. I do not think we ought to waste any more time on Dr. Wirt or any of his charges. He has disclosed by his statements that he has been doing the work of some people who have private profits and special interests at stake in this new deal, which they do not want to give up, even if their special privileges destroyed the welfare of millions of the common people.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. COOPER of Ohio. Mr. Speaker, I ask unanimous consent to proceed for half a minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. COOPER of Ohio. Mr. Speaker, I notice the gentleman from Wisconsin again attacks the Republican Party.

Mr. O'MALLEY. That is practically impossible to avoid since your colleagues started this time-wasting argument today.

Mr. COOPER of Ohio. Why can we not leave partisanship out of the deliberations of this body for awhile and get down to the things that are of vital importance to the country?

Mr. O'MALLEY. I shall be glad to do that, if the gentleman can persuade members on his side, like the gentleman from Kansas [Mr. McGugin], to desist. I would be glad enough to never mention the gentleman's party again, because I do not think it is strong enough in the country or in the House to be worth mentioning. The RECORD shows this argument started today on the Republican side.

The SPEAKER. The time of the gentleman from Ohio has expired.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

C. A. BETZ

The Clerk called the next bill, H.R. 3992, for the relief of C. A. Betz.

The SPEAKER. Is there objection?

Mr. HOPE. Mr. Speaker, I reserve the right to object in order to ask the author of the bill for some information. The bill purports to appropriate an amount in payment of expenses of an individual for making a trip from San Francisco to Bremerton Navy Yard. There is nothing in the bill or report to indicate the items of expense, whether the money was actually expended.

Mr. WELCH. Mr. Speaker, I introduced the bill (H.R. 3992) for the relief of C. A. Betz. It carries an appropriation of \$103.34 for the relief of Mr. Betz, who is a boilermaker by trade.

In 1930 Mr. Betz received the following letter, from which I read, from the Navy Department:

You are hereby tendered employment as a boilermaker in the industrial department. You are requested to report at the office of the labor board at once and bring this letter with you.

Mr. Speaker, Mr. Betz made the trip from San Francisco, Calif., to Bremerton, Wash., in response to this tender. Prior to his arrival at Puget Sound Navy Yard, however, conditions had so changed that his service as a boilermaker were not required. He was employed for a period of 8 days and was then discharged. It is 956 miles from San Francisco to Seattle. He was promised, as the report states, 4 months' employment. May I read briefly from the report of the Secretary of the Navy, Mr. Adams, who was Secretary at that time:

Under the circumstances existing in this case, however, where the claimant was led to believe that he would be given about 4 months' work and was discharged after a period of 8 days, thus depriving him of an opportunity to secure reimbursement for the expenses incurred by him in responding to the Government's call, the Navy Department considers that the claimant is equitably entitled to relief, and therefore recommends favorable action on the bill.

I know that Mr. Betz is a dependable man. He is not asking any more than his actual expenses from San Francisco to Seattle, where, as I said, he was promised by the Government at least 4 months' employment, which was reduced, by a slacking up of a department over which he had no control, to 8 days. Inasmuch as he is a hard-working mechanic, I feel, and I believe the gentleman from Kansas will agree with me, that he is entitled to the expenses incurred for his trip from San Francisco to Seattle and return.

Mr. HOPE. Does the gentleman think this is a reasonable amount? The gentleman is familiar with conditions

and the distance and the rates either by rail or steamship. Does the gentleman regard this as a reasonable amount? I ask that question because there is nothing in the RECORD to indicate what this amount covers. I should like to have the gentleman's opinion.

Mr. WELCH. It is my opinion that it is not unreasonable. On the other hand, it is a reasonable amount. I have made the trip a number of times, and I can place myself in the position of this mechanic. I feel that the small sum of \$103.34 provided for in the bill is only reasonable to pay the cost of his expenses from San Francisco to Seattle and return.

Mr. HOPE. Mr. Speaker, I withdraw my reservation of objection.

There being no objection the Clerk read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to C. A. Betz the sum of \$103.34. This sum represents the actual expenses incurred by Mr. Betz in making a trip from San Francisco to Bremerton Navy Yard in response to a summons issued by the Navy Department.

Mr. HOPE. Mr. Speaker, I offer the usual attorney's fee amendment, and also after the figures "\$103.34" to insert "Provided, That this shall be in full settlement of all claims against the Government of the United States."

The Clerk read as follows:

Amendment offered by Mr. HOPE: Page 1, line 5, after the figures, insert "in full settlement of all claims against the Government of the United States."

At the end of the bill insert the following: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELLEN GRANT

The Clerk called the next bill, H.R. 4060, for the relief of Ellen Grant.

There being no objection, the Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ellen Grant, mother of Albert F. Grant, late boatswain's mate, second class, United States Navy, who died June 8, 1931, while a member of that organization, the sum of \$303, being the actual expenses incurred in the burial of said Albert F. Grant.

With the following committee amendment:

On page 1, line 8, strike out "\$303" and insert in lieu thereof "\$200, in full settlement of all claims against the Government of the United States." On page 2, after the word "Grant", insert the following: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGE L. STONE

The Clerk called the next bill, H.R. 4475, for the relief of George L. Stone.

Mr. ZIONCHECK. Mr. Speaker, I object.

B. EDWARD WESTWOOD

The Clerk called the next bill, H.R. 4516, for the relief of B. Edward Westwood.

Mr. ZIONCHECK. Mr. Speaker, I object.

Mr. COOPER of Ohio. Mr. Speaker, will the gentleman withhold his objection?

Mr. ZIONCHECK. I will reserve the objection.

Mr. COOPER of Ohio. We have passed a great many bills like this today. The situation is that in 1931 the Federal Government started to construct a new post-office building at Youngstown, Ohio. Therefore it was necessary to change quarters. Temporary quarters were rented one block away from the old post office which was torn down. The facilities in the rented building were not very good; that is, the facilities for taking care of the money and the stamps. On Christmas day burglars broke into the office, pried open the money and stamp drawers, and stole \$891.17. The postmaster was not responsible for that. It is a matter of record in the police court. The postmaster was helpless to prevent this crime, with the facilities he had, and to properly take care of the cash receipts and stamps, and yet he was forced to do it, because it was the building which the Government had rented.

I do not think the postmaster should be held responsible for \$891 when he was not at fault at all.

Mr. ZIONCHECK. I notice that the Post Office Department in its report does not recommend the passage of this bill, taking the position that a proper degree of care was not taken by the postmaster for whom the gentleman now seeks relief.

Mr. COOPER of Ohio. No. The position that the Post Office Department took was that the money and stamps should have been kept in the safe; but there were 6, 8, or 10 people in this office all of whom had charge of money drawers and stamp drawers. It was a big office and there were no facilities inside the safe for each clerk to put his amounts in a separate drawer and lock it up. The safe did not accommodate that situation. Under this condition the postmaster would have had to have given the combination of the safe to 8 or 10 clerks and in case of trouble there would have been no one whom he could hold responsible for the safety of the money.

Mr. ZIONCHECK. Does not the gentleman think that the Post Office Department was advised of the facts of which the gentleman speaks, before they made an adverse recommendation?

Mr. COOPER of Ohio. I do not know whether the Post Office Department understood the situation or not. They rented this building and put the post office in there during the construction of the new building.

During the 12 years this postmaster has served he never had one black mark against his record. He has one of the finest records of any postmaster in the United States. I do not think it is fair that he should be held responsible for this money under circumstances where the office was burglarized.

Mr. ZIONCHECK. If the gentleman can get such a report from the Post Office Department today with regard to the lack of negligence of which he speaks, I shall be willing to have this bill pass over without prejudice to be called the next time the Private Calendar is called.

Mr. COOPER of Ohio. I think the Post Office Department in their report states just what the situation is.

Mr. ZIONCHECK. I have a contrary notation here.

Mr. COOPER of Ohio. The Post Office Department informed me that it would be impossible, under the law, for them to recommend it.

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice and that it may be called up the next time the Private Calendar is called.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

C. W. MOONERY

The Clerk called the next bill, H.R. 4519, for the relief of C. W. Moonery.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any moneys in the Treasury not otherwise appropriated, the sum of \$256.77, to compensate C. W. Moonery, of Lenapah, Okla., for actual financial loss sustained by him, without negligence on his part, through refund already made to the Post Office Department wherein postal funds for which he was responsible as postmaster of Lenapah, Okla., were on deposit in the First National Bank of Lenapah, Okla., where said bank failed under date of November 19, 1923, and was liquidated, none of said sum being repaid from the assets of said bank.

With the following committee amendments:

Page 1, line 5, strike out "\$256.77" and insert in lieu thereof "\$161.71."

Page 1, line 6, strike out the word "Moonery" and insert the word "Mooney."

Page 2, at the end of the bill, add the following:

"Amend the title so as to read: 'A bill for the relief of C. W. Mooney.'"

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ORVILLE A. MURPHY

The Clerk called the next bill, H.R. 5299, for the relief of Orville A. Murphy.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the United States Employees' Compensation Commission is hereby authorized to consider and determine, in the same manner and to the same extent as if application for the benefits of the Employees' Compensation Act had been made within the 1-year period required by sections 17 and 20 thereof, the claim of Orville A. Murphy on account of disability due to tuberculosis alleged to have been proximately caused by his employment in the service of the United States between April 6, 1920, and December 1, 1932: *Provided,* That no benefits shall accrue prior to the enactment of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HERALD PUBLISHING CO.

The Clerk called the next bill, H.R. 5940, for the relief of the Herald Publishing Co.

Mr. HANCOCK of New York. Mr. Speaker, I object.

Mr. RICHARDS. Mr. Speaker, will the gentleman reserve his objection to permit me to make an explanation?

Mr. HANCOCK of New York. Yes.

Mr. RICHARDS. The claim before the committee was \$446 for the injury and damage done a boiler owned by the Herald Publishing Co., of Rock Hill, S.C., while the Government occupied the premises. I hope the gentleman will consider this fact.

There was a contract between the Herald Publishing Co. and the Treasury Department whereby the Treasury Department leased from the Herald Publishing Co., of Rock Hill, S.C., a building for temporary use as a post office. There was a boiler in the building. The Government went into the building during the spring or summer months, and wishing to destroy certain papers that were not valuable and other trash they built a fire in this boiler. The position taken by the Herald Publishing Co., which I think is overwhelmingly established by the facts, was that there was negligence on the part of the Government employees.

The Treasury Department wrote a letter instructing the Herald Publishing Co. to go ahead and get a new boiler. Although they did not say they would pay for the boiler, it was implied that they would, and the company went ahead and got a new boiler, paying for it \$446. The bill is for this amount on the ground that the explosion was caused by the negligence of the Government employees. The committee reduced the amount from \$446 to \$243, considering the lat-

ter amount to represent the value of the boiler at the time it was destroyed.

Mr. HANCOCK of New York. I understand that the Government leased this building as temporary quarters for the post office. They moved into the building on the 28th of May. On the 29th and 30th they burned some old papers, whereupon the boiler cracked wide open. It would seem to me that the boiler must have been defective.

Mr. RICHARDS. But the gentleman overlooks the fact that the contract provided that the Herald Publishing Co. should not be responsible for the negligence of the Government itself.

Mr. HANCOCK of New York. How could there have been negligence on the part of the Government employees in burning papers in the furnace? Such use does not crack a boiler in proper condition.

Mr. RICHARDS. It was undoubtedly due to the fact that there was not water in the boiler. This was the summer-time, the off season when there was no reasonable expectancy on the part of the Herald Publishing Co. that the boiler would be used. If the Government employees wished to start a fire in the boiler at this time of the year it was incumbent upon them to see that there was water in it, or they certainly would be guilty of negligence.

Mr. HANCOCK of New York. An inspector was sent up there by the Post Office Department, and reported that the cracks were old and rusty; that some attempt had been made to caulk them; and that the boiler was old and much worn. If that evidence is not disputed, I cannot reconcile myself to the fact that the Government is in any way responsible for the explosion of this boiler. I am sorry, but I feel I must object.

Mr. RICHARDS. Will the gentleman withhold his objection and pass this bill over without prejudice?

Mr. HANCOCK of New York. Certainly.

Mr. RICHARDS. I should like to say to the gentleman that anyone who knows anything about boilers knows that in an off season anyone who builds a fire in them should use at least reasonable care before doing so.

Mr. HANCOCK of New York. I do not know anything about the competency of this inspector, but he reports that the cracks were old and rusty and that some attempt had been made to caulk them. They were amateurs, at least they were unsuccessful, and the inspector further reports that the boilers were old and worn.

Mr. RICHARDS. That is true, but the committee passed on this matter. We have affidavits of three employees working in the office and other very strong evidence that the boiler had been in good shape previously.

Mr. HANCOCK of New York. Those are what might be called self-serving declarations.

Mr. RICHARDS. They are contradictory to other evidence on file, I will admit, but the committee passed on this matter.

Mr. HANCOCK of New York. I feel I must object for the time being at any rate.

Mr. RICHARDS. Mr. Speaker, I will let the bill go over with the objection of the gentleman instead of passing it over without prejudice.

The SPEAKER. Is there objection?

Mr. HANCOCK of New York. Mr. Speaker, I object.

UNITED STATES MILITARY ACADEMY

The Clerk called the next bill, H.R. 7026, to credit certain services as cadets at the United States Military Academy.

Mr. ZIONCHECK. Mr. Speaker, I object.

ALFRED W. KLIEFOTH

The Clerk called the next bill, H.R. 7064, for the relief of Alfred W. Kliefoth.

Mr. ZIONCHECK. Mr. Speaker, I object.

JOHN P. SEABROOK

The Clerk called the next bill, H.R. 5310, for the relief of John P. Seabrook.

Mr. TRUAX. Mr. Speaker, reserving the right to object, I should like to inquire of the author of the bill if this is

similar in character to the one that was passed and vetoed by the President recently?

Mr. BURNHAM. Mr. Speaker, I am not sufficiently familiar with the record to answer the question. This is the case of a member of the Marine Corps having a bad-conduct discharge, but since that time reenlisted and has an honorable discharge. He has really been cited for meritorious service, and he wishes this blot removed from his record.

Mr. TRUAX. Does the Secretary of the Navy recommend this in a report?

Mr. BURNHAM. No; I presume not, because they never do.

Mr. TRUAX. Will the gentleman yield further?

Mr. BURNHAM. Yes.

Mr. TRUAX. I find the concluding paragraph of the report of C. F. Adams, Secretary of the Navy, is as follows:

In view of the foregoing, the Navy Department recommends against the enactment of the bill H.R. 12193.

Mr. ZIONCHECK. Will the gentleman yield further?

Mr. BURNHAM. I yield to the gentleman from Washington.

Mr. ZIONCHECK. We have passed a great many of these bills, and the Navy Department and the War Department usually object.

Mr. TRUAX. I am willing to give the President the opportunity to veto another one of these bills, so I withdraw the objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers and sailors John P. Seabrook, who was a member of the United States Marine Corps, shall hereafter be held and considered to have been honorably discharged from the naval service of the United States as a member of that organization on the 20th day of September 1920: Provided, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FREDERICK L. CAUDLE

The Clerk called the next bill, H.R. 5689, providing for the advancement in rank of Frederick L. Caudle on the retired list of the United States Navy.

Mr. HANCOCK of New York. Mr. Speaker, I object.

Mr. O'MALLEY. Will the gentleman withhold his objection?

Mr. HANCOCK of New York. Yes.

Mr. O'MALLEY. On what basis does the gentleman object? The Navy Department has recommended the passage of the bill.

Frederick L. Caudle was stricken with tuberculosis after having served in the Navy from 1923 to 1926. He saw active service in Shanghai and at other places. In 1925 he was sent to Mare Island and was found to have pulmonary tuberculosis at the time he was summoned in for examination. The Navy Department at a later date found him incapacitated for service. It happened that 2 months after this finding he would have been eligible for advancement. He was forced to retire, whereas if he could have gotten 2 months' leave to which he was entitled, he would have automatically been retired as a lieutenant (junior grade). This man was incurably ill with tuberculosis. He has had it since 1925. It involves only \$450 difference a year in retirement cost with which he may continue his fight for health and life. He may never be cured of tuberculosis. The bill was passed in the Senate some years ago and died in the House through an objection.

Mr. HANCOCK of New York. This young man was commissioned as an ensign in the Navy in 1923?

Mr. O'MALLEY. That is right.

Mr. HANCOCK of New York. And 2 years later, in 1925, he contracted tuberculosis?

Mr. O'MALLEY. That is right.

Mr. HANCOCK of New York. He was placed upon the retired list and is now receiving retirement pay. If he had been retired later, he would have received an increase in pay. He would have received a higher pay?

Mr. O'MALLEY. If he had been retired 2 months later, he would have had the advance in rank that would have given him this increased retirement pay, but the Navy forced his retirement through their findings as to his health.

Mr. HANCOCK of New York. How could the Navy promote a man to a higher rank when he is confined in the hospital suffering from tuberculosis? Is it not necessary that a man pass a physical examination in order to be promoted?

Mr. O'MALLEY. Yes; but they could have given him 2 months' leave so that his eligibility for advancement would have occurred. His automatic advancement was due in June. He was retired early in May. His retirement was forced because of his disability and through his failure to insist upon the leave then in vogue under Navy regulations.

Mr. HANCOCK of New York. He was disabled in 1925?

Mr. O'MALLEY. Yes.

Mr. HANCOCK of New York. That was a full year prior to this time?

Mr. O'MALLEY. No. He was not found incapacitated for service until April 1926.

Mr. HANCOCK of New York. If bills of this kind are to be passed, we will be setting a precedent. There is no reason why a man should be advanced a grade with retired pay under these circumstances.

Mr. O'MALLEY. Here is what the Navy Department said in a letter when the bill was under consideration in the Senate:

On the other hand, however, Ensign Caudle's retirement was effected immediately upon receipt of the recommendation of the Retiring Board and without the grant of any leave, in accordance with the then existing policy of the Navy Department. Since that time, however, the Navy Department has adopted the policy of granting officers a slight postponement in date of effect of retirement upon receipt of the recommendation of the Retiring Board. This postponement not to exceed their accrued leave and in no case to exceed 2 months. If this present policy had been in effect at the time of Mr. Caudle's retirement, his date of retirement would have been automatically set as in June 1926, rather than April 1926; which, thus set without regard to his impending date of promotion, would have carried the date of his retirement beyond the date he would have become due for promotion and would therefore, under the law, have entitled him to retire in the grade of lieutenant (junior grade).

All I am asking is that he be retired as a lieutenant instead of an ensign.

Mr. HANCOCK of New York. It seems to me this young man is being pretty generously treated by the Government. He served only 2 years. He is now retired for life on a reasonable amount. I do not know just what the amount is. Can the gentleman enlighten me as to what his retirement pay is now?

Mr. O'MALLEY. It is about \$100 a month. He did not get hospitalization except for 1 year. He was not sent to a hospital after his retirement because for some unknown reason the retirement order overlooked the fact that this man's case was pulmonary tuberculosis.

Mr. HANCOCK of New York. Of course, it is not pleasant to object to any of these bills, but I have objected to several that were exactly like this one.

Mr. ZIONCHECK. One hundred and six dollars a month less 5 percent would be the retired pay of an ensign.

Mr. HANCOCK of New York. I think that is being fairly generous to a young man who served 2 years.

Mr. O'MALLEY. Would the gentleman withdraw his objection if I offered an amendment to strike out "with 3 years of service", which would give him at the Navy pay rate his retirement as a lieutenant junior grade, but would not give him any more retirement pay than his present status? This would at least give him the rank and at no additional cost to the Government. This young man did not want to retire but was forced to as a result of disease contracted while serving his country.

Mr. HANCOCK of New York. I feel I must object, Mr. Speaker.

ANNIE BRUCE

The Clerk called the next bill, H.R. 6246, granting 6 months' pay to Annie Bruce.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to pay out of the appropriation "Pay of the Navy, 1932", to Annie Bruce, widow of the late Lt. Frank Bruce, United States Navy, an amount equal to 6 months' pay at the rate said Frank Bruce was receiving at the date of his death.

With the following committee amendment:

Line 5, strike out "1932" and insert in lieu thereof "1935."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

W. B. FOUNTAIN

The Clerk called the next bill, H.R. 6863, for the relief of W. B. Fountain.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged enlisted personnel of the United States Navy W. B. Fountain, aviation chief rigger, United States Navy, late of the Naval Operating Base, Hampton Roads, Va., until May 1925, shall hereafter be held and considered to have been discharged under honorable conditions from the naval service of the United States on the 4th day of May 1925: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUSTIN L. TIERNEY

The Clerk called the next bill, H.R. 6871, for the relief of Austin L. Tierney.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Austin L. Tierney, who served as a fireman, third-class, United States Navy, shall be held and considered to have been honorably discharged from the naval service of the United States as a fireman, third class, on April 25, 1918: *Provided,* That no pay, bounty, or allowances shall be held as accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CARLETON-MACE ENGINEERING CORPORATION

The Clerk called the next bill, H.R. 4659, for the relief of Carleton-Mace Engineering Corporation.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the claim of Carleton-Mace Engineering Corporation, of Boston, Mass., on account of the extra cost of installing fire-protection system at the naval ammunition depot, Hingham, Mass., under contract no. 3808-B, which extra cost was occasioned by an embargo placed on freight by the United States Railroad Administration, thereby preventing the completion of the work under the above contract before cold weather set in, and to allow in full and final settlement of said claim such amount, not exceeding \$32,726.14, as the Comptroller General may find from the facts and the evidence submitted to him to be the actual amount of the extra cost occasioned by the said embargo. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$32,726.14, or so much thereof as may be necessary, to pay the amount herein authorized to be allowed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MOSES ISRAEL

The Clerk called the next bill, H.R. 4793, for the relief of Moses Israel.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Moses Israel the sum of \$10,000 for damages suffered by reason of being struck and injured by a Government automobile which was driven by an employee of the Post Office Department.

With the following committee amendments:

Page 1, line 6, strike out "\$10,000" and insert in lieu thereof "\$3,500"; and at the end of line 8 insert the following: "*Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

EDGAR SAMPSON

The Clerk called the next bill, H.R. 4832, for the relief of Edgar Sampson.

Mr. HOPE. Mr. Speaker, reserving the right to object, I have no objection, possibly, to the bill if it can be amended so as to provide that no benefits shall accrue prior to the passage of the act, and also the bill should be drawn up in the regular approved form that we have been using in measures of this kind.

Mr. CELLER. The gentleman states he would not object if we provided there should be no benefits accruing prior to the passage of the act. Just what does the gentleman mean by that?

Mr. HOPE. Just what the language says. It would include any benefits that accrued after the passage of the act and the action of the Employees' Compensation Commission in determining whether the claimant is entitled to relief.

Mr. CELLER. It seems to me it would be rather unfair to do that, because, due to a faulty reply by a Government official, this man was deprived of making his claim in the proper time. This bill only removes the bar of the statute of limitations.

Mr. HOPE. I have no objection to this man's being permitted to file a claim at this time without regard to the fact that the 1-year period is up, but I think the precedent we have always followed is that no benefits shall accrue prior to the passage of the bill.

Mr. CELLER. But if there is justice in the claim, I cannot see why the gentleman should want that provision in the bill. The man ought to be entitled to the benefits of the legislation from the time he was ill. It is now almost 5 years, and I think it would be very unfair to put on such a limitation.

Mr. HOPE. Of course, it is not the fault of the Congress or the Employees' Compensation Commission that the claim was not filed within the proper time. I think there are some equities in this case, but, strictly speaking, the man has no rights. We are giving him something when we pass this legislation, and I think we should follow the precedents that have been established in such cases.

Mr. CELLER. The gentleman will understand that this man is very old.

Mr. HOPE. I do not think there is any reason why we should not follow the precedents in this case. We ought not to go behind the passage of the act.

Mr. CELLER. It will not amount to very much, and if there is any justice at all this man should have it.

Mr. HOPE. If it does not amount to very much, the claimant is not losing very much. I see no reason for departing from the precedents, and I shall have to object.

Mr. CELLER. This claim was in Congress a year ago and someone objected to it, on what grounds I do not know, and so this man had to wait a year.

Mr. HOPE. I do not want to object, but if the gentleman will allow the bill to go through with the amendment, I will not object.

Mr. CELLER. I will accept the amendment.

Mr. HOPE. Mr. Speaker, in view of the gentleman's statement, I will withdraw my objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That sections 15, 17, and 20 of an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U.S.C., title 5, pars. 765, 767, and 770, on p. 79), are hereby waived in favor of Edgar Sampson, who claims disability as a result of his employment under the Post Office Department in December 1927. The United States Employees' Compensation Commission is hereby authorized to accept formal notice of claim, now informally numbered Lf-17426, and to consider and act upon his claim under the remaining provisions of said act, as amended, in the same manner as if his claim and notice had been filed within 60 days after the said disability was incurred.

With the following amendment:

Strike out all after the enacting clause and insert the following: "That the United States Employees' Compensation Commission is hereby authorized to consider and determine the claim of Edgar Sampson arising out of disability and illness resulting in the involuntary removal to a hospital of said Edgar Sampson on December 24, 1927, in the same manner and to the same extent as if said Edgar Sampson had made application for the benefits of said act within the 1-year period required by sections 17 and 20 thereof: *Provided*, That no benefits shall accrue prior to the approval of this act, but any favorable award under this act shall be based upon physical condition of said Edgar Sampson of current date."

HARDSHIP ON PHILIPPINES

Mr. WELCH. Mr. Speaker, I ask unanimous consent to print in the RECORD an article in the Washington Herald of April 10, 1934, on Hardship on Philippines.

The SPEAKER. Is there objection?

There was no objection.

Mr. WELCH. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following article from the Washington Herald of April 10, 1934:

HARDSHIP ON PHILIPPINES

Manila dispatches report that consternation has been created among the Philippine people by the threat of Congress to impose a prohibitive tariff on copra and coconut oil.

Philippine leaders have appealed to the President and the Congress for protection against such an indefensible injustice to a dependent people, who are wholly at the mercy of a Congress in session 10,000 miles distant.

These Philippine leaders point out what American opponents of such a prohibitive tariff admit:

That to impose a prohibitive tax, which the House has voted and the Senate is considering, on copra and coconut oil would subject the Philippine people to the following hardships:

It would wipe out coconut plantations, which represent \$150,000,000 of the Philippine Islands' wealth.

It would throw out of employment one third of the population of the Philippines, living in seven Provinces.

It would reduce to destitution and threaten with starvation 4,000,000 Filipinos, whose only means of support comes from the coconut trade that are to them in very truth "a tree of life."

President Roosevelt is against this outrage. Secretary Dern has urged upon Congress the cruel consequences and the utter unfairness of inflicting upon the Philippine people an excise tax which would destroy one of their chief industries and nullify the traditional tariff policy under which the Philippine Islands have long been treated as an integral part of the United States.

Congressman WELCH, of California, has put the case convincingly against this iniquitous betrayal of America's solemn trust in the Philippine Islands when he said:

"This proposal strikes at the very vitals of the Philippine economic situation. Coconut oil has only had a 2 cents per pound duty since 1921 from other countries, but under the terms of reciprocity with the Philippines has been admitted free of duty from them.

"This embargo, for it is just that, means that these products will have to compete in the already oversupplied world market, which they cannot successfully do."

It is hard to believe that the Congress will ignore the protest of the President, the admonition of the Secretary of War, or turn a deaf ear to the desperate appeal for justice that comes from a

dependent people across the Pacific, who look to the American flag for the same protection and give it the same loyal allegiance that is received and given by the people of continental United States.

What will honorable men the world over think of a Congress that stoops to oppress, by such a betrayal of trust, 4,000,000 helpless Filipinos whose only security lies in the sense of justice that ought to quicken every Senator and Representative in a Congress that calls itself American?

Is there no limit to the contempt for American honor, and the subservience to the greedy demands of special privilege which seems to contaminate this Congress, where American responsibility to the Philippine people is involved?

VETERANS' LEGISLATION

Mr. GREENWOOD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. GREENWOOD. Mr. Speaker, the adjusted-service compensation was to equalize wages of the soldier with those who stayed at home and made money. It should have been paid in cash, as the task was finished, and the laborer is entitled to his hire. Every other unfinished contract, like munition makers, were paid in cash. The doughboy was given an endowment policy payable in 1945. He had no option but to accept. Now he needs the money, and our country can pay it without incurring any interest. Instead of issuing bonds the bill passed by the House proposes to issue Treasury notes which will have the full credit of the Government behind them. One billion dollars in gold could be ear-marked as a reserve to this issue. This would create as sound security as any that backs our Nation's currency. This two and one half billion would be equally distributed over every township of our country. It is a fixed and regulated inflation badly needed to help bring us back. Your Representative has three times voted to pay the bonus in cash, and hence continued to support the measure that recently passed the House and is now pending in the Senate.

Much criticism has been lodged against Congressmen for voting for the economy bill last year. This act is the key-stone to the arch of our recovery program. Without the balancing of the Budget covering current expenditures of the Government, we could not have refunded former bonds nor borrowed money to carry out the lines of relief work of the last few months. We had to find jobs for the unemployed and to feed the hungry. The Economy Act is the basis for this program which has been promoted upon borrowed money. It was for the whole Nation to bring us back out of the desperate and tragic plight into which we had fallen. The Members of Congress, all Federal employees, and soldiers took their cuts for good of all.

In carrying out the provisions of the Economy Act, the President issued Executive orders making reductions in both World War and Spanish War veterans' compensations, that went much deeper than any Member of Congress anticipated the cuts would be made. Most unexpectedly and unjustly, your Representative believes, were Spanish War pensioners required to prove service connection for their disabilities. It is now more than 30 years since they served. There were scarcely any hospital records kept, their comrades are scattered or dead, and their doctors cannot be located. It is unjust to require the soldier to furnish a proof that cannot be found because the Nation kept no record of their illness nor their wounds. The recent bill cures this injustice and places Spanish War veterans back in their former pensionable status at 75 percent of their former pensions. I voted for the measure when it passed the House of Representatives but was in Indiana when it came up for action on the veto.

The recent bill passed over the President's veto also returns the presumptive cases of tuberculosis and mental disorder cases arising within the presumptive period after the World War back to 75 percent of their former compensation. This is also a just modification of the Economy Act and Executive orders arising therefrom. There are other needed changes provided in the recent amendment. It is a moderate adjustment of inequalities. Some belittle Congress for overriding the President's veto because of pressure from home. I believe that the true motive of Congress was to do

justice to the soldier. There is no official in public life who has presented to him the ills and problems of the people like a Member of Congress. He is the bumper for their appeals and protests. The Representatives have had presented some most aggravating and appealing cases of injustice. The Veterans' Bureau is often cold, unsympathetic, and unjustly technical. The Congressman appeals for these veterans for justice, but often to no avail. Eventually Congress takes matters into its own hands and rewrites the law so that advantage cannot longer be taken of the veterans by hard-boiled Veterans' Bureau doctors. This is a part of the new deal to do justice to those who fought our country's battles and suffered disabilities from the service.

The recent bill was the result of months of appeal to remedy these injustices. Many worthy cases were arbitrarily rejected and ignored. The administration of these Executive orders was not in the hands of the President but to Veterans' Bureau appointees who decided many just claims against the soldier. Congress has conscientiously endeavored to right the wrongs of the administration of the Economy Act. Most of the four-point program of the American Legion has been enacted. A fair measure of justice has been done the Spanish War veteran. The new law will be more in keeping with justice than the former act. This country cannot afford to be unfair, not even miserly with those who fought our country's battles when our future was hanging in the balance. The tragedies of war must be compensated. Not everyone who claims a pension is entitled to one, but those who have disabilities of service connection and their dependents are entitled to compensation by ancient and well-established precedents and accepted policies of our country.

We feel when fully understood these amendments will be approved, not alone by the soldier but also the people generally.

RECORD ON SOLDIER LEGISLATION ENACTED BY CONGRESS

Mr. HASTINGS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. HASTINGS. Mr. Speaker, the discussion of soldier legislation carries us back to the beginning of the World War and vividly recalls the days of hurried preparation, quick mobilization, and heroic action. The ex-service men joined the colors after the war resolution was passed on April 6, 1917. They upheld the fine traditions of our country. They are entitled to sympathetic consideration, legislation, and administration at the hands of a grateful Nation.

For the RECORD I want to briefly and frankly review some of the history of the legislation with reference to soldier benefits, and particularly that enacted during the Seventy-second Congress.

A committee was appointed at the previous session to make a comprehensive study of the entire subject of reduction of Government expenses and a bill was reported, but the drastic features with reference to soldiers were eliminated.

It was then urged that the Veterans' Administration was reviewing each case to determine what, if any, benefits each individual was entitled to receive, and the amount.

When the appropriation bill for the fiscal year beginning July 1, 1933, was in course of preparation before a subcommittee, of which I was a member, an effort was made, which I assisted in defeating, to drastically reduce the appropriation. An appeal was taken to the full committee, where I continued my opposition and where I urged that the Veterans' Administration was reviewing all cases, and that every case should stand on its own merits, and that if there were any undeserving cases the Veterans' Administration could correct and eliminate them.

I also invited attention to the fact that a joint committee had been continued to study the legislation and that that committee had not at that time reported. As a result, the appropriation bill was passed without the drastic reduction. This bill met with the veto of President Hoover upon the alleged ground that the appropriation was excessive. How-

ever, this was not correct because the amount carried in the bill was within and less than the Budget estimates.

Therefore when the present administration took charge on March 4, 1933, there was no appropriation for the Veterans' Administration or soldier benefits for the current year beginning July 1, 1933. An appropriation therefore had to be made.

The first message which President Roosevelt submitted to Congress on March 10, the day after he convened it in extra session, called attention in detail to the Government revenues and expenditures, showing that the expenditures for the preceding 3 years had exceeded the revenues by more than \$5,000,000,000, insisting that no recovery was possible without a balanced Budget, which so vitally affected the Nation's credit, and urged that he be given broad powers to reduce Government expenses, including soldier benefits, salaries of all Government employees, including Members of Congress, and the transfer, consolidation, and elimination of bureaus and commissions, in the interest of economy and efficiency. He closed his message by stating:

If the Congress chooses to vest me with this responsibility, it will be exercised in a spirit of justice to all, of sympathy to those who are in need and of maintaining inviolate the basic welfare of the United States.

An emergency was upon us. Every bank, national and State, had been closed by moratorium orders of the President and the Governors of the several States; factories were idle; some 10 or 15 million men and women were being supported from public or private funds.

The President had been elected by a tremendous popular vote. He carried 42 of the 48 States of the Union.

The chairman of the committee reporting and in charge of this bill, the economy bill, after quoting the above paragraph from the President's message, assured the Members of the House that the authority would be sympathetically exercised and administered. He said:

This bill, if enacted, will not be an act on your part to take a dime from a single worthy ex-service man.

The majority leader of the House, in a fervent effort to support the President, gave a like assurance. Accepting these assurances, the bill afterwards known as the "Economy Act" was passed, with the support of many ex-service men.

However, the rules and regulations prepared for and approved by the President were admittedly too drastic, and many cases were brought to the attention of Members of Congress which showed there were injustices and inequalities in them.

Upon our bringing these to the attention of the President, the rules and regulations were from time to time amended. Congress sought further to correct the abuses in the law and the regulations.

The Connally amendment to the new appropriation bill was first adopted in the Senate. This, among other things, provided for a horizontal reduction of 25 percent. Later the Steiwer-Cutting amendment was adopted as a Senate substitute for the Connally amendment.

The President authorized himself to be quoted as being against both of these amendments and the House adopted a substitute correcting many abuses, and these amendments were thrown into conference between the two Houses.

At this juncture the House steering committee, of which I was a member, was called to make a study of how to secure the most concessions in the interest of the soldiers and to assist the conferees of the two Houses, of which I was a member, to iron out their differences.

Everyone knew it was impossible then to override the veto of the President.

The committee invited many ex-service men, Members of the House, including WRIGHT PATMAN, Capt. GORDON BROWN, and LAMAR JEFFERS, and also called in consultation Watson Miller, representing the World War veterans, to study and interpret the various amendments proposed in the House and the Senate, the regulations and the law, and to devise plans how most effectively to present all phases of

the proposed legislation to the President, in the interest of the ex-service men.

As a result of these conferences, the steering committee appointed a subcommittee, of which I was a member, and enlarged it to include Capt. GORDON BROWNING, WRIGHT PATMAN, and LAMAR JEFFERS, to confer with the President. This we did at a number of prolonged conferences. The President expressed repeatedly the same views he gave utterance to at the Chicago convention.

We succeeded, however, in securing many modifications, including boards to review the presumptive cases, with their compensation continued until October 31, 1933, unless adverse action was taken before that date by the board, with the burden of proof upon the Government. There was reported to be 154,843 of these cases.

These conferences resulted in securing protection for 36,325 widows and dependents.

Non-service-connected World War veterans who are permanently and totally disabled were retained on the rolls. The Spanish-American War veterans, over 55 and under 62 and in need, were provided for. The hospital provision was liberalized. Regional offices were retained and appropriated for. In the meantime the regulations were further amended. In all, it was estimated that the objections of the President had been met and overcome and changes secured resulting in additional benefits for the soldiers of from one hundred to one hundred and fifty million dollars. All members of the committee agreed, as did Capt. GORDON BROWNING and WRIGHT PATMAN and LAMAR JEFFERS, representing the ex-service men, that it was better to accept this compromise than to lose all through a veto, and they earnestly urged the House to accept it.

Such, briefly, is the history, frankly stated, of the enactment of this legislation.

As the representative of the Second Oklahoma District, my constituency, and particularly the soldiers of all wars, are entitled to know my views and my record on soldier legislation while I have represented them in Congress. I do not hesitate to state them. I have outlined them more in detail in the CONGRESSIONAL RECORD of June 15, 1933.

In addition to supporting all appropriations and legislation during and since the World War recommended for the benefit of the ex-service men, permit me to state:

First. I supported and voted for the Gordon Browning amendment in the caucus which provided that the reduction in no event in the allowance to any soldier should exceed 25 percent. This passed the caucus, but not by a two-thirds binding vote, and the rules of the House did not permit its being offered when the bill came up for consideration.

Second. I did not favor the dropping by groups of the names of soldiers receiving benefits but urged that each case should be re-examined and decided upon its own merits.

Third. I favored the retention on the rolls of all those placed there under the law unless shown to be fraudulent or without merit, with the burden of proof upon the Government.

Fourth. I favored the retention of the presumptive cases on the rolls, both to nurse them back to health and as a matter of justice and humanity, because these cases should for the good of society be segregated from the public for its protection.

Fifth. I urged the President to retain on the rolls all those granted pensions under the act of July 3, 1930, reducing the amount not to exceed the proportion of the reduction to other soldiers, urging that the law could be amended as to future applicants, and in support of it I pressed these two arguments: First, that their cases had been settled; and second, many had incurred financial obligations since they had been granted pensions, based upon the amount of these Government allowances.

Sixth. I think the care of all of our soldiers is a national problem and that the obligation rests with the Government to hospitalize all soldiers to the extent of its facilities, giving

first preference to cases of service origin, but to all soldiers to the extent of the Government facilities.

Seventh. I favored the retention of the local regional offices for the convenience of the ex-service men.

Eighth. I favored placing the widows and dependents of World War veterans on a par with the soldiers of all wars.

During the present session of Congress the independent offices appropriation bill was reported to the House under a special rule authorizing certain legislative amendments dealing with soldier legislation. When the bill reached the Senate amendments were added by many Senators, some of which were adopted, which, for the most part restored to the soldiers benefits enjoyed by them before the passage of the Economy Act of March 20, 1933, except as to Spanish-American War veterans who joined the service after the close of the war, August 12, 1898, and who did not participate in the Boxer Rebellion and the Philippine Insurrection, and as to certain World War veterans whose disabilities were not of service origin. The 29,000 presumptive cases, mostly tubercular and mental cases, were restored to the rolls except those who enlisted after the war and the disability is shown to have occurred before or after service. All entitled to hospital facilities and in need were directed to be hospitalized. In fact, except as to the percentage reduction, and except as to Spanish-American War veterans who joined the service after the close of the war on August 12, 1898, and to certain World War veterans whose disabilities were not of service origin, soldier benefits were restored, in substance, to what they were prior to the passage of the Economy Act.

Every effort was made to adjust the differences between the House and the Senate. I was a member of the conference committee and cooperated in every way in an effort to secure the enactment of legislation which would correct the inequalities and injustices done by the Economy Act of March 20, 1933, and did not hesitate to vote to override the President's veto, when I was convinced that he was in error over slight differences between himself and Congress.

It is estimated that approximately 330,000 World War veterans will be affected by this legislation, the annual increased cost of which is estimated at \$83,000,000.

I introduced the bill (H.R. 7092) embodying the four-point program, sponsored by the American Legion, but the substance of this bill was embodied in the legislative amendments attached to the independent offices appropriation bill.

I also supported and voted for the bill providing for the payment of adjusted compensation or bonus certificates:

First, because I thought the compensation—compared to what was being paid to those in civil life—received by the soldiers during the war was inadequate.

Second, because it only provides for the remission of the interest from now until 1945.

Third, because it would greatly aid in relieving the depression. The money would be distributed to beneficiaries in every township and to members of almost every family in the country.

We must constantly keep in mind that there was no appropriation for the Veterans' Administration and for the soldiers of all wars when the new administration came into power March 4, 1933, and the President had the opportunity to urge his views either through the Economy Act or by limitation in the appropriation bill which had to be passed by Congress before funds would be available for the soldiers after July 1, 1933.

Having been privileged to represent the Second Congressional District during the fateful days of 1917 and 1918, I have always keenly felt my responsibility in connection with the World War. I am glad to have the opportunity in the RECORD to review the legislation enacted by Congress, and my own record in detail in connection with it. I am glad also to have the opportunity to frankly submit my views on soldier legislation, confident when they are known and understood that they will meet with the approval of those

whose records have added additional laurels to the flag of our beloved country and whose good opinion I prize.

EDGAR SAMPSON

Mr. MCGUGIN. Mr. Speaker, I move to strike out the last word of the amendment. The Honorable James A. Reed, former United States Senator, has just called me on the telephone and requested me to state to the House that the charge made a few moments ago by the gentleman from North Carolina [Mr. BULWINKLE] that Dr. Wirt had served a term in jail during the World War is wholly malicious and wholly false; that Dr. Wirt's record is clean, and that he has never been arrested.

Mr. BYRNS. Mr. Speaker, will the gentleman yield?

Mr. MCGUGIN. Yes.

Mr. BYRNS. I thought we had decided this afternoon to stop all further discussion of that matter. The gentleman himself started it. I thought we had agreed to quit and attend to the business of the House and not play petty politics on this floor while there is important business to attend to.

Mr. MCGUGIN. Does the gentleman say it is petty politics to stand here on the floor of the House and correct a statement which slanders a man, which charges that he served time in jail for disloyalty to the country, when it is not true? Is that petty politics?

Mr. BYRNS. I do not say that; but I say the gentleman's speech which started this discussion a while ago was nothing more nor less than petty politics.

Mr. MCGUGIN. It was not petty politics. Petty politics does not warrant anyone to defame the character of an American citizen, be that citizen Dr. Wirt or any other citizen.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time; was read the third time, and passed.

A motion to reconsider was laid on the table.

JOSEPH DUMAS

The Clerk called the next bill, H.R. 4846, for the relief of Joseph Dumas.

The SPEAKER. Is there objection?

Mr. BLANCHARD. Mr. Speaker, I reserve the right to object in order to ascertain, if it is possible, the present condition of Mr. Dumas, if the author of the bill is present.

Mr. MORAN. Mr. Speaker, the information that I get is that he is still extremely lame, as it is stated he would be in the last sentence of the report.

Mr. BLANCHARD. I have examined the report, and on the basis of the report and the indications of the man's injuries, I think the sum of \$2,500 is altogether too high.

Mr. ZIONCHECK. One thousand and five hundred dollars ought to be satisfactory.

Mr. BLANCHARD. If the gentleman will agree to accept an amendment reducing the amount to \$1,500, I have no objection to the passage of the bill.

Mr. MORAN. I am obliged to accept.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, the sum of \$5,000 to Joseph Dumas, of Waterville, Maine, for injuries received by said Dumas on September 9, 1927, at said Waterville, through the negligence of an employee in the United States Railway Mail Service.

With the following committee amendment:

Page 1, line 6, strike out "\$5,000" and insert "\$2,500."

Mr. BLANCHARD. Mr. Speaker, I move to amend the committee amendment by striking out "\$2,500" and inserting in lieu thereof "\$1,500."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. BLANCHARD: Amend the committee amendment by striking out "\$2,500" and inserting in lieu thereof "\$1,500."

The SPEAKER. The question is on agreeing to the amendment of the committee amendment.

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The SPEAKER. The Clerk will report the remaining committee amendments.

The Clerk read as follows:

Page 1, line 7, after the word "Maine", insert "in full payment and settlement of all claims against the United States", and at the end of the bill insert: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

FREDERICK L. CAUDLE

Mr. O'MALLEY. Mr. Speaker, I ask unanimous consent to return to Calendar No. 304, H.R. 5689, providing for the advancement in rank of Frederick L. Caudle, on the retired list of the United States Navy. The gentleman who objected and I have worked out an amendment satisfactory to both of us.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That Ensign Frederick L. Caudle, United States Navy, retired, shall have the rank and receive the pay and allowances on the retired list of the United States Navy as a lieutenant (junior grade) with 3 years of service.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. O'MALLEY. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. O'MALLEY: Line 6, after the word "with", insert "less than."

The amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GALEN E. LICHTY

The Clerk called the next bill, H.R. 4847, for the relief of Galen E. Lichty.

The SPEAKER. Is there objection?

Mr. HOPE. Mr. Speaker, I reserve the right to object, to ask the author of the bill if he has any objection to the usual amendment providing that this shall be in full settlement of all claims against the Government of the United States, and also the attorney's fee amendment.

Mr. MOREHEAD. Mr. Speaker, this county came into my district under the new redistricting of the State. This claim has been approved and passed here, as the gentleman will notice, by the House, and also has been twice to the Senate, but failed to be enacted. I have no objection to the amendment.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$554.70 to Galen E. Lichty, stamp clerk of the post office at Beatrice, Gage County, Nebr., to reimburse him for funds stolen from the Beatrice post office by unknown persons on the day of November 17, 1928.

Mr. HOPE. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. HOPE: After the figures in line 5, insert "in full settlement of all claims against the Government of the United States", and at the end of line 9 insert "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The amendments were agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

THE REAL CAUSE OF THE DEPRESSION

Mr. LOZIER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record.

The SPEAKER. Is there objection?

There was no objection.

Mr. LOZIER. Mr. Speaker, disease is the result of the violation of the laws of health, the disregard of some natural law. Many governmental diseases are the direct result of a maladministration of our benign system of government and the penalties we pay for having abandoned the high ideals that underlie, permeate, and vitalize our free institutions. The great depression through which we have been passing is the result of too little government of the right kind and too much government of the wrong kind, under the Harding, Coolidge, and Hoover administrations.

For 12 years big business was in the saddle, booted and spurred, recklessly riding over the so-called "common people" and "middle classes." The beneficiaries of special-privilege legislation unconscionable augmented their unearned and undeserved bounties, and mercilessly exploited the masses. Class legislation was the order of the day. Powerful plunderbunds stabled their richly caparisoned horses of special privilege in the corridors of the Capitol to browbeat the Representatives of the people and punish all who refused or even hesitated to register their bidding. Predatory wealth and organized greed exacted and obtained their pound of flesh. Control of our currency, credits, and national wealth was in the hands of a few masters of finance and big-business buccaneers, who ruthlessly manipulated markets and depressed commodity prices, flooded the country with worthless stocks and bonds, overcapitalized industry, turned the stream of commerce from its natural channel, ushered in an orgy of speculation, staged a frenzied big-business carrousel, and inaugurated an era of legislative favoritism, economic greed, and social injustice.

And what was the result? Intermittent financial fevers, industrial malaria, unemployment flux, agricultural palsy, transportation anemia, bankers' chills, and strange as it may seem, at the same time, both high and low economic blood pressure. These maladies were the inevitable consequences of our having abandoned safe and sane methods in the management of our business and governmental affairs under the last three national Republican administrations.

In harmony with the false and pernicious political philosophy of the Republican Party prior to the inauguration of President Roosevelt, our Government became so entangled with business, and business became so interlocked with Government, that whatever influenced the one inevitably affected the other. Big business and the Government became as closely related as Eng and Chang, the Siamese twins, so that if either took snuff the other sneezed. Unbalanced budgets, reduced revenues, wasteful expenditures, corruption in high places, and a virile brood of vexatious political and governmental problems followed in the wake of economic, industrial, financial, and agricultural maladjustments.

Whether our economic, civic, and social problems are primarily governmental or economic, they undoubtedly flow

from an improper relationship between the Government and the people. For 12 years, from the advent of the Harding administration to the end of the Hoover regime, something, yes, nearly everything, was out of balance.

The relationship between the several vocational groups has been artificially influenced and maladjusted by legislative favoritism or by unwise intermeddling by the Government in matters entirely within the sphere of private initiative. Favorable or unfavorable conditions were stimulated because of too much or too little government, and frequently highly artificial and exceedingly unsound economic conditions were created with either the express or implied sanction of the Government.

Under the last three national Republican administrations, a few powerful and well-organized groups applied irresistible pressure to our executive and legislative departments, and habitually dictated the language of the laws under which they plundered the people and recklessly disregarded the natural political and economic rights of the unorganized masses. Unfavorable and radical reaction from these artificially created conditions was inevitable.

What is the relationship between the Government and big business? Why should the Government suffer from the same distemper that afflicts agriculture, industry, transportation, banking, and commerce? When the manufacturer, the banker, the merchant, and the farmer eat sour grapes, why are Uncle Sam's teeth set on edge? In my opinion, the efficiency and usefulness of our Government were materially impaired as a direct result of our abandonment under Harding, Coolidge, and Hoover of many of the ideals, principles, and policies on which our governmental structure rests. We fell into the pit of depression because we did not walk in the old paths and because we strayed far from the landmarks established by the men who founded and bequeathed to us the best system of government so far devised by man.

Our Republic was set up by men who had just emerged from a successful rebellion against a paternalistic nation, under which there was an inequitable distribution of the burdens and benefits of government. Our constitutional fathers endeavored to establish and believed they had established a Nation, the activities of which would necessarily be confined exclusively to questions which had to do with personal and political liberty, social order, and the maintenance of a wise, stable, and benevolent Government, untouched by the filthy finger of privilege and unawed by the arrogant and greedy demands of predatory wealth and organized pillage.

It was never contemplated by the men who founded our free institutions that our Federal Government would be called upon to enrich one class of people at the expense of other classes, or to grant special privileges in one section or to one group, and deny similar privileges to other sections and other vocational groups; or that the Government would invade the domain of private business and allow certain favored classes to use its agencies and instrumentalities to accomplish their selfish, cynical, and sordid purposes.

Having won their freedom at the point of the sword, our forefathers had no thought of establishing a government like that against which they had rebelled. The men who charted our national course never would have sanctioned class legislation which under Republican administrations became a malignant cancer fastened to our body politic and gnawing at our vitals; nor would they have looked with tolerance on the creation of favored groups, who, under solemn legislative mandate, are permitted to use our governmental agencies for their own enrichment, at the expense of more numerous but less-favored classes.

If those intrusted with the conduct of our public affairs had steadfastly steered a straight course and not deviated from the letter and spirit of our organic law, and had not yielded to the seductive appeals of certain powerful and efficiently organized groups, and had refused to enact class legislation of any kind or character, we would not now be plagued with a multitude of embarrassing governmental problems, and the economic life of the American

people would have been less spectacular, but more balanced, stable, virile, and equitable.

We are confronted by these so-called "governmental problems", because in an hour of weakness we sanctioned the enactment of class legislation, which is contrary to the genius and spirit of our institutions. Having once opened the door to class legislation for the enrichment of one group at the expense of another, we are now seemingly powerless to close it. Having once enthroned special privilege, it insolently declines to abdicate or surrender its unearned bounties.

If we had not established the policy of enacting laws to supplement individual initiative and to create an artificial prosperity in certain lines of business, we would not be confronted by the unemployment problem, the industrial problem, the tariff problem, the transportation problem, the farm problem, the financial problem, and numerous other problems that threaten our industrial peace, social order, and economic life. And may I add, we have an agricultural problem, because, by legislative enactments extending over a long period of years, the Government destroyed the economic equality or balance that previously existed and should always exist between agriculture and industry. The Government has stabilized industry by high-tariff laws and given the American manufacturer a monopoly on the American market which enables him to sell his commodities to the farmer, laborer, and unprotected masses at unconscionable profits, thereby destroying the proper balance between the vocational groups, especially between agriculture and industry.

By legislative action the Government has come to the rescue of the manufacturer, the banker, the railroad, and big business. By legislative fiat these callings have been stabilized and their incomes and profits substantially increased. It would be futile at this late day to complain of the help which the Government has extended to these other favored classes, but I am convinced that agriculture should be given the same kind of help that has been so unstintingly granted to other industries. The business of practically every other great industry has been artificially stimulated, stabilized, and safeguarded by congressional action. This has materially strengthened and enriched these other vocational groups at the expense of agriculture. Our Government should either cease legislating for the stabilization and enrichment of other industries and activities, or it should extend the same treatment to agriculture.

But you say the Government has legislated for the benefit of the farmer, to which I reply that the farmer has been denied the only kind of legislation that can afford him substantial relief, legislation that will restore his purchasing power, stabilize the market price of his farm products on higher levels so as to enable him to balance his budget and sell his commodities at a price that will not only return the cost of production but yield a fair profit over production costs; legislation that will narrow the spread between what the farmer gets for his products and what he pays for his supplies.

In the last analysis the prosperity of all other vocational groups depends very largely on the prosperity of the agricultural classes, and until agriculture is restored to the list of profitable occupations, we will continue to flounder in the pit of depression.

C. J. HOLLIDAY

The Clerk called the next bill, H.R. 4927, for the relief of C. J. Holliday.

The SPEAKER. Is there objection?

Mr. BLANCHARD. Mr. Speaker, I object.

Mr. ZIONCHECK. Mr. Speaker, I object.

Mr. TAYLOR of South Carolina. Will the gentlemen withhold objections for a moment?

Mr. BLANCHARD. Yes. I am willing to reserve the objection.

Mr. TAYLOR of South Carolina. This is a case where a man went on a surety bond, without any pay or any fee, just as a friend. He signed a bond for another fellow who was in jail. He got out and absconded, and the bond was for-

feited. Subsequently to that time, the man at his own expense apprehended the man and returned him to court, and satisfied the sentence. This is to reimburse the man for his bond. He received no fee whatever. This is not a professional bondsman.

Mr. ZIONCHECK. The United States district attorney and the Department of Justice are opposed to paying back this money, are they not?

Mr. TAYLOR of South Carolina. I think they are in favor of it.

Mr. ZIONCHECK. I believe the gentleman is wrong about that.

Suppose we pass the next four bills for the time being.

Mr. TAYLOR of South Carolina. Mr. Speaker, I ask unanimous consent that the next four bills be passed over for the time being, and that we may return to them later. They are numbers 313, 315, and 316 on the calendar.

Mr. ZIONCHECK. Number 314 involves a different principle.

Mr. TAYLOR of South Carolina. I just want to conserve time and check up on the point asked by the gentleman from Washington [Mr. ZIONCHECK].

Mr. BLANCHARD. Mr. Speaker, I ask unanimous consent that Private Calendar bills numbered 313, 315, and 316 be passed over without prejudice.

The SPEAKER. Without objection it is so ordered.

There was no objection.

PALMETTO COTTON CO.

The Clerk called the next bill, H.R. 4928, for the relief of the Palmetto Cotton Co.

Mr. HOPE. Reserving the right to object, I wish the author of the bill would explain the circumstances under which this remittance appears to be made.

Mr. TAYLOR of South Carolina. Mr. Speaker, this involves a mortgage given by a Mr. Tribble. A mortgage was given to the farmers' seed loan, a branch of the Government. Prior to that a mortgage was given to the Patrick Motor Co. The cotton was sold to the Palmetto Cotton Co., and they sent the money to the Government, disregarding the prior lien that was on the record in the court, in the proper place. The Government recognizes in this report that it is not entitled to this money, but under their machinery they cannot refund it, and this is the only way the man can be recompensed.

Mr. HOPE. This bill is to reimburse the party who bought the cotton, and apparently it was through his own negligence that the money was paid to the junior lien holder instead of the first lien holder.

Mr. TAYLOR of South Carolina. Yes; but it was an oversight. He should not be penalized for paying it to a man who was not entitled to it. The person to whom it was paid wants to refund it, and the only machinery by which it can be done is by this bill.

Mr. HOPE. Does the Government have any security by which it will get its money if this is refunded?

Mr. TAYLOR of South Carolina. I do not know; but certainly the Government will not be in any worse position by reason of passing this bill than it was when it took a second mortgage, when it should have exercised the precaution of taking a first mortgage. There is no use making this man the victim because of the Government's negligence in not properly protecting itself against a prior mortgage.

Mr. HOPE. Of course, it was due to the negligence of the party we are trying to relieve that the money was paid to the Government; but in view of the fact that the Department is willing that this bill should be enacted, and has no objection to it, I shall not object.

Mr. TAYLOR of South Carolina. I appreciate that on the part of the gentleman.

There being no objection, the Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$140, which sum represents a part of the remittance to the farmers' seed loan offices of the Department of Agriculture by the Palmetto Cotton Co. in payment of a loan of Hollock Tribble to the said farmers' seed loan office, upon which amount a prior lien or mortgage existed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HELENA C. VONGRONING AND STEPHAN VONGRONING

The Clerk called the next bill, H.R. 4958, for the relief of Helena C. VonGroning and Stephan VonGroning.

Mr. TRUAX. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

ALFRED HARRIS

The Clerk called the next bill, H.R. 4990, for the relief of Alfred Harris.

Mr. ZIONCHECK. Mr. Speaker, I object.

SOPHIE CARTER

The Clerk called the next bill, H.R. 5000, for the relief of Sophie Carter.

Mr. HOLLISTER. Reserving the right to object, I should like to ask the proponent of this bill some questions. I have no objection except that it should contain certain formal amendments. I will withdraw my objection with the understanding that those amendments may be agreed to.

Mr. TRUAX. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

NICOLA VALERIO

The Clerk called the next bill, H.R. 5405, for the relief of Nicola Valerio.

Mr. TRUAX. Mr. Speaker, reserving the right to object, I ask that this bill be passed over.

Mr. BLANTON. Well, Mr. Speaker, it is double the amount that is customary, as a maximum allowed in a death claim.

Mr. BLACK. I am willing to have the amount reduced.

Mr. BLANTON. I think possibly the bill ought to be passed, but for only half the sum.

Mr. TRUAX. Mr. Speaker, I withdraw my objection.

Permit me to call to the attention of the gentleman the fact that we have been passing quite a number of bills for the relief of surviving relatives of individuals who have been killed because of the reckless driving of mail trucks. I think the Post Office Department should take some action to curb the reckless and careless driving of mail trucks by its employees.

Mr. BLANTON. Mr. Speaker, I think our colleague should go down to the Post Office Department and get every one of their employees on wheels admonished. For that matter I think he ought to get the Post Office Department to admonish also every postmaster and every custodian of a post office that hereafter they better be careful to adhere to the regulations with regard to locking safes and protecting the property of the United States Government, because we are going to be mighty careful in future about granting these reimbursements.

Mr. TRUAX. I suggest that the gentleman from Texas take the matter up himself.

Mr. BLANTON. I have been trying for 10 years to get that done. Let this be our insistent request upon the Post Office Department that it shall warn all employees to be extremely careful so that we may stop these numberless claims against the Government. I think maybe the very active senatorial aspirant from Ohio may be very helpful in bringing this notice from Congress to the Post Office Department.

Mr. TRUAX. I may say to the gentleman that as I have no post-office patronage, possibly it would be a good idea for me to do it.

Mr. HOLLISTER. Mr. Speaker, further reserving the right to object, there should be inserted in the bill a formal statement that it is in full settlement of all claims against the Government.

Mr. BLANTON. And the amount should be reduced from \$10,000 to \$5,000.

Mr. HOLLISTER. If that is inserted, I shall have no objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Nicola Valerio, father of Joseph Valerio, deceased, the sum of \$10,000 on account of the death of the aforesaid Joseph Valerio, which was caused by his being struck by a post-office mail truck: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. HOLLISTER. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. HOLLISTER: Page 1, line 6, after the "\$10,000", insert "in full settlement of all claims against the Government of the United States."

The amendment was agreed to.

Mr. BLANTON. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 1, line 6, strike out "\$10,000" and insert in lieu thereof "\$5,000."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROBERT R. PRANN

Mr. BLACK. Mr. Speaker, I ask unanimous consent that the bill (H.R. 6585) for the relief of Robert R. Prann, Private Calendar No. 117, be laid on the table.

The reason I submit this request is that a similar bill has passed the Senate. This bill was one of those objected to by the gentleman from New York [Mr. FISH] during the early part of the session when we had trouble with regard to inserting the Lindbergh telegram in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

DR. WIRT

Mr. SWICK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. SWICK. Mr. Speaker, several days ago I called upon the Members of this House to awaken from the hypnotic trance resulting from the monotonous rhythm of a one-man band sounding the paternalistic notes of the "brain trusters."

This morning in the caucus room of the new House Office Building, a committee composed of Members of this body convened for the purpose of inquiring into certain charges against these supermen, who have been drafted into Federal service for the purpose of national recovery, by a distinguished educator.

Leaders of this House and of the administration have seen fit to discredit this accuser, even to the extent of claiming it is all a partisan political move; and yet, to the consternation of the minority members of the committee, there appeared in the role of counsel for Dr. Wirt none other than Jim Reed, of Missouri, who is undoubtedly one of the outstanding Democrats, if not the outstanding, in the United States.

There seems to be a well-defined determination on the part of the committee, of the majority members I should say, to bring the hearing to a quick determination, even though it becomes necessary to resort to unprecedented and un-American practices to do so, by denying the man whom they have summoned the right to make a statement unhindered.

It is not my purpose to say whether the charges are true or untrue. I do believe they are of sufficient gravity to merit a very thorough investigation. The fact that Senator Reed has associated himself with the accuser is to any patriotic American proof that the situation is a serious one.

If there is an organized effort on the part of men and women now within the heart of our Federal Government to substitute the atheistic doctrines of communistic Russia for the constitutional rights of Americans, they should be exposed.

I believe the patriotic sense of Americans will demand that this matter be given the same thorough investigation as is given other questions of much less importance. If the charges are false—and let us hope they are—they should be proved so beyond a doubt; otherwise, they will hang like a dark cloud over us, and do much to hinder recovery.

CHARGES OF DR. WIRT

Mr. FOULKES. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?
There was no objection.

Mr. FOULKES. Mr. Speaker, I want to call attention to the fact that certain Congressmen are being flooded with letters—all of them mimeographed form letters or copies from such forms—that seem to smack of Nazi propaganda and that coincide with the charges of Dr. Wirt. They are plainly the work of some propaganda organization bent on painting the administration as "red" and inflaming the passions and prejudices of people.

This is the form that is followed in letters coming to me and to one other Congressman:

Much is being said in the daily press about communism existing in the Roosevelt "brain trust." As a citizen of your State, I join with others in requesting you to use your powers in having these charges investigated to the very limit. And if they are found to be true, I plead with you to do your utmost to purge official Washington of these subversive influences. We should not go to atheistic Moscow for ideas on how to run the government of a Christian nation.

The letters come from certain cities in Michigan, including Detroit, Benton Harbor, and Niles, and some in central New York—Johnson City, Oneonta, Glen Aubrey, Union, and Laurens. I am withholding the names of the signers for the present.

PLAYA DE FLOR LAND & IMPROVEMENT CO.

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent to return to Calendar No. 108, the bill H.R. 5284, for the relief of the Playa de Flor Land & Improvement Co., and that said bill be now considered. I objected to it in the first place not understanding the bill. I understand, however, that it is urgent that the bill be passed.

Mr. BLANCHARD. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. ZIONCHECK. It gives the right to certain land companies in Panama to have their claims for land adjudicated by the Federal court in Panama. It does not authorize any appropriation, and Congress will pass upon any amount the court allows, if it should allow any.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the District Court of the Canal Zone to hear and determine, without intervention of a jury, but subject to the provisions for appeal as in other cases provided by the Panama Canal Act, as amended, the claim of the Playa de Flor Land & Improvement Co. against the United States on account of property taken by the United States in the Canal Zone.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATURALIZATION PROCEEDINGS

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Concurrent Resolution No. 35.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the House concurrent resolution, as follows:

House Concurrent Resolution 35

Resolved by the House of Representatives (the Senate concurring). That the President is requested to return to the House of Representatives the bill (H.R. 3521, 73d Cong., 2d sess.) entitled "An act to reduce certain fees in naturalization proceedings, and for other purposes", for the purpose of correcting an error in said bill.

The House concurrent resolution was agreed to.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. BULWINKLE, for 3 days, on account of personal business.

To Mr. DOUTRICH, indefinitely, on account of illness.

To Mr. NESBIT, for 1 week, on account of death in family.

To Mr. KNUTE HILL, for 2 weeks, on account of illness of sister.

WILLIAM L. JENKINS

Mr. DITTER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DITTER. Mr. Speaker, in connection with the consideration earlier today of the bill (H.R. 1939) for the relief of William L. Jenkins, in answer to the question of the gentleman from Ohio, I made the statement that the bill had passed the Seventy-second Congress. I wish to correct that statement. It was favorably reported, but it was not passed.

ORDER OF BUSINESS

Mr. BYRNS. In order that Members may be advised, if the House is willing to acquiesce in the unanimous-consent request I am going to submit, I ask unanimous consent that on tomorrow, in the event the gentleman from Missouri [Mr. CANNON] is unable to be present to take up the appropriation bill for the District of Columbia, it may be in order to continue the call of bills unobjected to on the Private Calendar, beginning where the call left off this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and an enrolled joint resolution of the Senate of the following titles:

S. 193. An act to amend section 536c of the act entitled "An act to amend subchapter 1 of chapter 18 of the Code of Laws for the District of Columbia relating to degree-conferring institutions", approved March 2, 1929;

S. 194. An act to change the name of B Street SW. in the District of Columbia;

S. 1820. An act to amend the Code of Law for the District of Columbia;

S. 1983. An act to authorize the revision of the boundaries of the Fremont National Forest in the State of Oregon;

S. 2006. An act for the relief of Della D. Ledendecker;

S. 2057. An act authorizing the sale of certain property no longer required for public purposes in the District of Columbia;

S. 2509. An act to readjust the boundaries of Whitehaven Parkway at Huidekoper Place in the District of Columbia, provide for an exchange of land, and for other purposes;

S. 2545. An act to extend the times for commencing and completing the construction of a bridge across the Columbia River at or near Astoria, Oreg.;

S. 2571. An act authorizing the Secretary of the Interior to arrange with States or Territories for the education, medical attention, relief of distress, and social welfare of Indians, and for other purposes;

S. 2675. An act creating the Cairo Bridge Commission and authorizing said commission and its successors to construct, maintain, and operate a bridge across the Ohio River at or near Cairo, Ill.;

S. 2857. An act to amend an act entitled "An act to incorporate the Mutual Fire Insurance Co. of the District of Columbia", as amended; and

S.J.Res. 15. Joint resolution extending to the whaling and fishing industries certain benefits granted under section 11 of the Merchant Marine Act, 1920, as amended.

ADJOURNMENT

Mr. BYRNS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 30 minutes p.m.) the House adjourned until tomorrow, Thursday, April 12, 1934, at 12 o'clock noon.

COMMITTEE HEARING

COMMITTEE ON MERCHANT MARINE, RADIO, AND FISHERIES

(Thursday, Apr. 12, 10 a.m.)

Continue hearings on H.R. 5205, 8581, and 8930, also S. 2629, in the committee room.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. ZIONCHECK: Committee on Naval Affairs. H.R. 4944. A bill authorizing the Secretary of the Navy to make available to the municipality of Aberdeen, Wash., the U.S.S. *Newport*; without amendment (Rept. No. 1197). Referred to the Committee of the Whole House on the state of the Union.

Mr. BRUNNER: Committee on the Post Office and Post Roads. H.R. 7302. A bill to authorize the Postmaster General to receive, operate, and to maintain for official purposes, motor vehicles seized for violation of the customs laws; without amendment (Rept. No. 1200). Referred to the Committee of the Whole House on the state of the Union.

Mr. STUBBS: Committee on Indian Affairs. H.R. 8494. A bill to authorize the Secretary of the Interior to modify the terms of existing contracts for the sale of timber on the Quinault Indian Reservation when it is in the interest of the Indians so to do; with amendment (Rept. No. 1201). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. DREWRY: Committee on Naval Affairs. H.R. 2085. A bill authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Woman's Club, of the city of Paducah, Ky., the silver service in use on the U.S.S. *Paducah*; without amendment (Rept. No. 1196). Referred to the Committee of the Whole House.

Mr. O'CONNELL: Committee on Naval Affairs. H.R. 5544. A bill for the relief of Capt. Arthur L. Bristol, United States Navy; without amendment (Rept. No. 1198). Referred to the Committee of the Whole House.

Mr. MILLARD: Committee on Naval Affairs. H.R. 6128. A bill to correct the naval record of Joseph Horace Albion Normandin; with amendment (Rept. No. 1199). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H.R. 1451) granting a pension to Cornelia M. Campbell, and the same was referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLANTON: A bill (H.R. 9061) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1935, and for other purposes; to the Committee on Appropriations.

By Mr. BACHARACH: A bill (H.R. 9062) to regulate the expenditure of public moneys heretofore and hereafter available for expenditure in carrying out the act of May 18, 1933, known as the "Tennessee Valley Authority Act of 1933", and for other purposes; to the Committee on Military Affairs.

By Mr. REED of New York: A bill (H.R. 9063) to provide for preliminary examination and survey of Barcelona Harbor, Chautauqua County, N.Y.; to the Committee on Rivers and Harbors.

By Mr. SCHULTE: A bill (H.R. 9064) granting the consent of Congress to the State of Indiana to construct, maintain, and operate a free highway bridge across the Grand Calumet River at or near a point suitable to the interests of navigation, east of Clark Street, in Gary, Ind.; to the Committee on Interstate and Foreign Commerce.

By Mr. TREADWAY: A bill (H.R. 9065) granting the consent of Congress to the Department of Public Works of the Commonwealth of Massachusetts to construct, maintain, and operate a free highway bridge across the Connecticut River at Turners Falls, Mass.; to the Committee on Interstate and Foreign Commerce.

By Mr. SUMNERS of Texas (by request): A bill (H.R. 9066) to provide for the taxation of manufacturers, importers, and dealers in small firearms and machine guns, to tax the sale or other disposal of such weapons, and to restrict importation and regulate interstate transportation thereof; to the Committee on Ways and Means.

By Mr. VINSON of Georgia: A bill (H.R. 9067) to amend the act approved February 15, 1929, entitled "An act to permit certain warrant officers to count all active service rendered under temporary appointments as warrant or commissioned officers in the Regular Navy, or as warrant or commissioned officers in the United States Naval Reserve Force, for purpose of promotion to chief warrant rank"; to the Committee on Naval Affairs.

Also, a bill (H.R. 9068) to provide for promotion by selection in the line of the Navy in the grades of lieutenant commander and lieutenant; to authorize appointment as ensigns in the line of the Navy all midshipmen who hereafter graduate from the Naval Academy, and for other purposes; to the Committee on Naval Affairs.

By Mr. CELLER (by request): A bill (H.R. 9069) to provide for the establishment of unemployment and social insurance, and for other purposes; to the Committee on Labor.

By Mr. FITZGIBBONS: A bill (H.R. 9070) relating to the eligibility of persons for appointment in the classified civil service; to the Committee on the Civil Service.

By Mr. ARENS: Joint resolution (H.J.Res. 319) to investigate corporations engaged in the manufacture, sale, or distribution of agricultural implements and machinery; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROWN of Georgia: A bill (H.R. 9071) granting a pension to Clarence Allen; to the Committee on Pensions.

Also, a bill (H.R. 9072) for the relief of the legal representatives of the estate of John H. Christy; to the Committee on Claims.

By Mr. BURNHAM: A bill (H.R. 9073) granting a pension to Robert Fuller; to the Committee on Pensions.

By Mrs. CLARKE of New York: A bill (H.R. 9074) granting a pension to Sarah W. Chisholm; to the Committee on Invalid Pensions.

By Mr. FOCHT: A bill (H.R. 9075) granting a pension to Minnie G. Jones; to the Committee on Invalid Pensions.

By Mr. GRIFFIN: A bill (H.R. 9076) conferring jurisdiction upon the Court of Claims of the United States to hear,

determine, and render judgment upon the claims of Edward A. McCormack; to the Committee on Claims.

By Mr. KINZER: A bill (H.R. 9077) granting a pension to George Newton Groff; to the Committee on Invalid Pensions.

Also, a bill (H.R. 9078) granting an increase of pension to Lydia A. Stuard; to the Committee on Invalid Pensions.

Also, a bill (H.R. 9079) granting an increase of pension to Sarah C. Wiley; to the Committee on Invalid Pensions.

By Mr. KURTZ: A bill (H.R. 9080) granting a pension to Susan Maude Hall; to the Committee on Invalid Pensions.

Also, a bill (H.R. 9081) granting a pension to Angeline Roudabush; to the Committee on Invalid Pensions.

By Mrs. McCARTHY: A bill (H.R. 9082) for the relief of Charles W. Cole; to the Committee on Military Affairs.

By Mr. PARKS: A bill (H.R. 9083) for the relief of R. K. Garfield; to the Committee on Claims.

By Mr. RANDOLPH: A bill (H.R. 9084) to authorize the Comptroller General to settle and certify for payment the account of M. M. Smith as de facto United States commissioner for the northern district of West Virginia from May 1, 1933, to October 1, 1933; to the Committee on Claims.

By Mr. SHANNON: A bill (H.R. 9085) for the relief of Dory Cleo Arnold; to the Committee on Naval Affairs.

By Mr. WOLFENDEN: A bill (H.R. 9086) for the relief of Stewart A. McDowell; to the Committee on Military Affairs.

By Mr. JONES: Joint resolution (H.J.Res. 320) authorizing suitable memorials in honor of James Wilson and Seaman A. Knapp; to the Committee on the Library.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3772. By Mr. ANDREW of Massachusetts: Petition adopted by the General Court of Massachusetts, favoring the making of loans by the Reconstruction Finance Corporation directly to industry instead of through the agency of mortgage-loan companies; to the Committee on Banking and Currency.

3773. By Mr. BEITER: Petition of the Radio Workers Federal Labor Union, No. 18739, Tonawanda, N.Y., urging support of the Wagner labor and Connery 30-hour week bills; to the Committee on Labor.

3774. By Mr. CONNERY: Petition of the Commonwealth of Massachusetts, memorializing Congress for legislation to promote the establishment of unemployment insurance; to the Committee on Labor.

3775. Also, resolution of the City Council of the city of Lynn, Mass., requesting that one of the new warships be named U.S.S. *Lynn*; to the Committee on Naval Affairs.

3776. By Mr. DONDERO: Resolution adopted by the Commission of the city of Royal Oak, Mich., urging that payment by the United States Government to all depositors of both State and national banks, including members of the Federal Reserve System, and all banks which had been members of the Federal Reserve System even though they were not such members at the time of closing, be authorized; to the Committee on Banking and Currency.

3777. By Mr. FOCHT: Petition from citizens of Huntingdon County, Pa., protesting against the enactment of Senate bills 2258 and 885; to the Committee on the Judiciary.

3778. By Mr. GOODWIN: Petition of the Woman's Christian Temperance Union of Cobleskill, N.Y., respectfully petitioning Congress for favorable action on the Patman motion picture bill (H.R. 6097) providing higher moral standards for films entering interstate and international commerce; to the Committee on Interstate and Foreign Commerce.

3779. Also, petition of the New York State Association of Highway Engineers, Albany, N.Y., expressing approval of the Whittington bill, providing additional moneys for highway construction to the extent of \$400,000,000; to the Committee on Roads.

3780. By Mr. FITZPATRICK: Petition of the South Yonkers Residents' Association, endorsing the McLeod banking bill; to the Committee on Banking and Currency.

3781. By Mr. LINDSAY: Telegram from Hon. George U. Harvey, president of the Borough of Queens, New York City, urging passage of the McLeod bill; to the Committee on Banking and Currency.

3782. Also, petition of Thomas L. L. Ryan, of Pedlar & Ryan, Inc., New York City, opposing amendment to revenue bill which would tax coconut oil 5 cents a pound; to the Committee on Ways and Means.

3783. Also, petition of the Women's Division to Navy Yard Retirement Association, Local No. 1, Brooklyn, N.Y., favoring the passage of House bill 4492; to the Committee on Pensions.

3784. Also, petition of Hazel I. Burkhardt, of New York City, opposing the passage of the bill to regulate the stock exchange; to the Committee on Interstate and Foreign Commerce.

3785. Also, petition of Paul Forster, of New York City, opposing the Fletcher-Rayburn bill; to the Committee on Interstate and Foreign Commerce.

3786. Also, petition of W. E. Malpas, of Hoboken, N.J., opposing the Fletcher-Rayburn bill; to the Committee on Interstate and Foreign Commerce.

3787. Also, petition of James Cunningham, of New York City, opposing the passage of the Fletcher-Rayburn bill; to the Committee on Interstate and Foreign Commerce.

3788. Also, petition of R. V. Martin, of Queens Village, Long Island, N.Y., opposing the passage of the Fletcher-Rayburn bill in its present form; to the Committee on Interstate and Foreign Commerce.

3789. Also, petition of Pasquale Chirichella, of Brooklyn, N.Y., opposing the passage of the Fletcher-Rayburn bill; to the Committee on Interstate and Foreign Commerce.

3790. Also, petition of Jesse Kettell, of Brooklyn, N.Y., opposing the Fletcher-Rayburn bill in its present form; to the Committee on Interstate and Foreign Commerce.

3791. Also, petition of Arnold A. Martin, of Brooklyn, N.Y., opposing the Fletcher-Rayburn bill; to the Committee on Interstate and Foreign Commerce.

3792. Also, petition of the Maramaros Young Men's Society of Brooklyn, Inc., urging support of the Lundeen bill (H.R. 7598); to the Committee on Labor.

3793. Also, telegram from William Merrill, of Brooklyn, N.Y., favoring passage of the McLeod banking bill; to the Committee on Banking and Currency.

3794. Also, telegram from Irving J. Applebaum, of Brooklyn, N.Y., urging support of the McLeod banking bill; to the Committee on Banking and Currency.

3795. Also, telegram from Hon. Joseph Clark Baldwin 3d, minority leader, board of aldermen, New York City, favoring enactment of the McLeod banking bill; to the Committee on Banking and Currency.

3796. Also, telegram from Robert Pierce, of Brooklyn and New York, favoring enactment of the McLeod bill; to the Committee on Banking and Currency.

3797. By Mr. MILLARD: Petition signed by residents of Westchester County, N.Y., urging the repeal of that part of the Economy Act which permits department heads to impose payless furlough days on Government employees; to the Committee on the Post Office and Post Roads.

3798. Also, petition signed by residents of White Plains, Westchester County, N.Y., protesting against the reduction of time for Radio Station WLWL; to the Committee on Merchant Marine, Radio, and Fisheries.

3799. By Mr. REED of New York: Petition of the Central Council of Associated Societies, of Dunkirk, N.Y., to commemorate the service of the Polish Army in France; urging unemployment insurance or old-age pension; to the Committee on Labor.

3800. By Mr. SWICK: Petition of Jane Sattins, representing 358 residents of Butler, Pa., favoring the amendment to Senate bill 2910 to eliminate monopoly and to insure equality of opportunity and consideration for educational, religious,

agricultural, cooperative, and similar non-profit-making associations in the granting of radio licenses; to the Committee on Merchant Marine, Radio, and Fisheries.

3801. Also, petition of Frances J. Shroup and numerous other citizens of Butler and Herman, Pa., favoring the amendment to Senate bill 2910 to eliminate monopoly and to insure equality of opportunity and consideration for educational, religious, agricultural, cooperative, and similar non-profit-making associations in the granting of radio licenses; to the Committee on Merchant Marine, Radio, and Fisheries.

3802. By Mr. TREADWAY: Resolution adopted by the General Court of Massachusetts, memorializing Congress in favor of direct loans to industry by the Reconstruction Finance Corporation; to the Committee on Banking and Currency.

3803. By the SPEAKER. Petition of the American Society for Pharmacology and Experimental Therapeutics; to the Committee on Interstate and Foreign Commerce.

3804. Also, petition of California Progressives, regarding the cancelation of air-mail contracts; to the Committee on the Post Office and Post Roads.

3805. Also, petition of the Vera Cruz Council, No. 647, Knights of Columbus; to the Committee on Merchant Marine, Radio, and Fisheries.

SENATE

THURSDAY, APRIL 12, 1934

(Legislative day of Wednesday, Mar. 28, 1934)

The Senate met at 12 o'clock noon, on the expiration of the recess.

CALL OF THE ROLL

Mr. LEWIS. I note the absence of a quorum and ask for a roll call.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Couzens	Kean	Pope
Ashurst	Cutting	Keyes	Robinson, Ind.
Bachman	Davis	King	Russell
Bailey	Dickinson	La Follette	Schall
Bankhead	Dill	Lewis	Sheppard
Barbour	Duffy	Logan	Shipstead
Barkley	Erickson	Loung	Smith
Bone	Fess	Long	Steiwer
Borah	Frazier	McCarran	Stephens
Brown	George	McGill	Thomas, Okla.
Bulkeley	Gibson	McKellar	Thomas, Utah
Bulow	Goldsborough	McNary	Thompson
Byrd	Gore	Metcalf	Townsend
Byrnes	Hale	Murphy	Vandenberg
Capper	Harrison	Neely	Van Nuys
Caraway	Hastings	Norbeck	Wagner
Carey	Hatch	Norris	Walcott
Clark	Hatfield	Nye	Walsh
Connally	Hayden	O'Mahoney	
Copeland	Hebert	Overton	
Costigan	Johnson	Pittman	

Mr. LEWIS. I announce the absence of the Senator from Arkansas [Mr. ROBINSON], who has been detained by a rather serious illness in his family. I ask that this announcement stand for the day.

I also announce the absence of the Senator from California [Mr. McAdoo], the junior Senator from Florida [Mr. TRAMMELL], my colleague the junior Senator from Illinois [Mr. DIETERICH], the Senator from Maryland [Mr. TYDINGS], the Senator from Alabama [Mr. BLACK], the Senator from Massachusetts [Mr. COULDGE], the senior Senator from Florida [Mr. FLETCHER], the Senator from Virginia [Mr. GLASS], and the Senator from North Carolina [Mr. RYLANDS], who have been called away on official business.

I regret to announce the absence of the Senator from Montana [Mr. WHEELER], occasioned by illness.

Mr. HEBERT. I wish to announce that the Senator from Pennsylvania [Mr. REED] and the Senator from Missouri [Mr. PATTERSON] are necessarily absent.

The PRESIDENT pro tempore. Eighty-one Senators having answered to their names, a quorum is present.

PETITIONS AND MEMORIALS

The PRESIDENT pro tempore laid before the Senate a memorial of several citizens of Muskogee, Okla., remonstrating against the passage of the bill (S. 2926) to equalize the bargaining power of employers and employees, to encourage the amicable settlement of disputes between employers and employees, to create a National Labor Board, and for other purposes, which was referred to the Committee on Education and Labor.

Mr. WALSH presented a petition of sundry citizens of Springfield, Mass., praying for such amendment of the pure food and drug laws as will assure the public of the continued professional protection of legally responsible registered pharmacists wherever drugs and medicine are supplied, distributed, or offered for sale, which was referred to the Committee on Commerce.

He also presented a resolution adopted by the Manufacturers' Textile Association, Worcester, Mass., protesting against the passage at the present time of the so-called "Wagner bill", being Senate bill 2280, providing for unemployment insurance, which was referred to the Committee on Education and Labor.

He also presented a resolution adopted by the Massachusetts State Council of Carpenters, favoring a speedy termination of the C.W.A. relief program, and that in place thereof the original P.W.A. program be immediately expedited, which was referred to the Committee on Finance.

He also presented a petition of citizens of Worcester, Mass., being members of the congregation of the First Church of Christ, praying for the prompt ratification of the World Court protocols, which was referred to the Committee on Foreign Relations.

He also presented the memorial of the Massachusetts Indian Association, Boston, Mass., remonstrating against the passage of the bill (H.R. 7902) to grant to Indians living under Federal tutelage the freedom to organize for purposes of local self-government and economic enterprise, to provide for the necessary training of Indians in administrative and economic affairs, to conserve and develop Indian lands, and to promote the more effective administration of justice in matters affecting Indian tribes and communities by establishing a Federal Court of Indian Affairs, which was referred to the Committee on Indian Affairs.

He also presented a resolution adopted by the City Council of Revere, Mass., favoring the passage of the bill (H.R. 7986) to amend the Radio Act of 1927, approved February 23, 1927, as amended (44 Stat. 1162), which was referred to the Committee on Interstate Commerce.

He also presented a resolution adopted by the Manufacturers' Textile Association Worcester, Mass., protesting against the passage of the so-called "Capper truth-in-fabric bill", which was referred to the Committee on Interstate Commerce.

He also presented the petition of members of Pioneer Lodge, No. 238, Brotherhood of Railroad Trainmen, of Springfield, Mass., favoring amendment of the Railway Labor Act and the passage of legislation providing for the 6-hour day and other matters for the benefit of trainmen, which was referred to the Committee on Interstate Commerce.

He also presented resolutions adopted by the Woman's Home Missionary Society of Watertown; the Worcester Better Films Council, of Worcester; and the Woman's Christian Temperance Unions of Springfield, Spencer, and Worcester, all in the State of Massachusetts, praying for the passage of the so-called "Patman motion-picture bill", being House bill 6097, providing for higher moral standards for films entering interstate and foreign commerce, which were referred to the Committee on Interstate Commerce.

He also presented resolutions adopted by the Central Political and Social Club, of Boston, Mass., favoring the adoption by the House of Representatives of a resolution submitted by Representative DE PRIEST, of Illinois, to pre-